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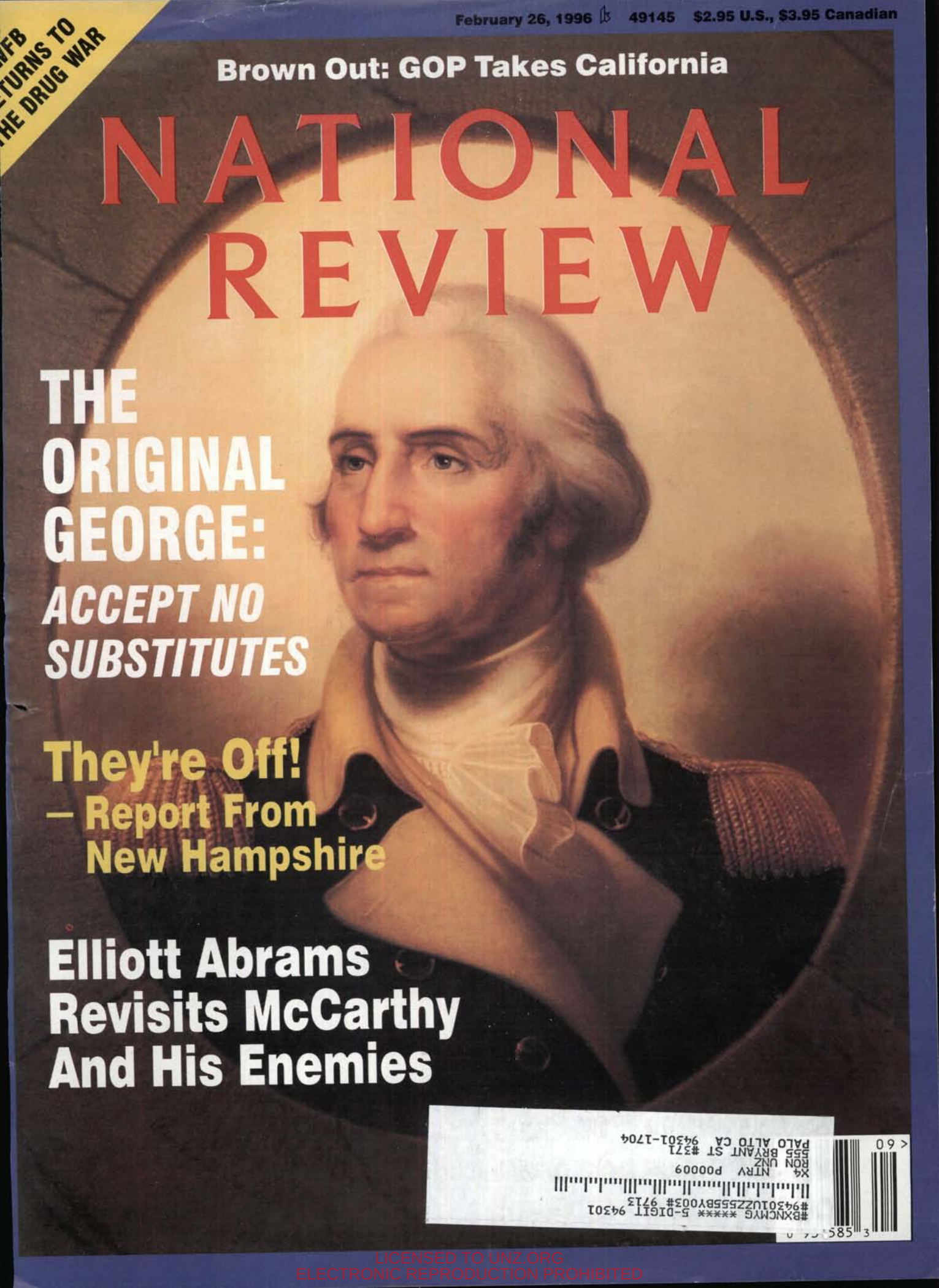

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NATIONAL REVIEW

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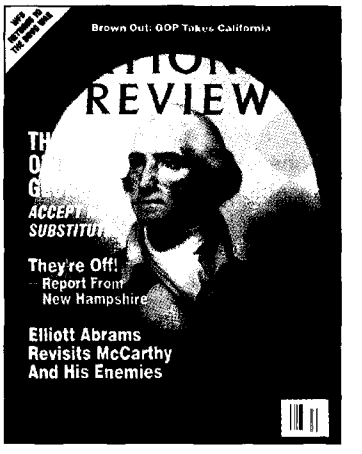

Cover painting, "Porthole Portrait of George Washington," by Rembrandt Peale (owned by Butler Institute of American Art)

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LETTERS

Who's a Pervert?

In his good-natured diatribe against vegetarians ["Delectations," Jan. 29] Digby Anderson railed with justifiable eloquence at intrusive "vege-perverts" who proselytize so vigorously their all-vegetable diet. But with his own steak-dessert-coffee-cream-alcohol-cigar cornucopia he seemed a bit of a pervert himself, and probably a gout-laden one at that. However, it's a perversion I dote on. More power to him and his ilk!

Hal Ronning
Falls Church, Va.

Commitments

Rael Jean Isaac and D. J. Jaffe ["Committed to Help," Jan. 29] attribute to Thomas Szasz a position he never held—namely that residents of mental hospitals should be thrown out against their will. In *Heresies*, Szasz wrote: "The latest obscenity in the history of institutionalized psychiatry is the forcible de-institutionalization of the chronic mental patient for whom the hospital has become a home. In the United States today, individuals who want to stay out of mental hospitals are still 'admitted' to them against their will; whereas individuals who want to stay in such hospitals are 'discharged' from them against their will in ever-increasing numbers. The result is that while the prison function of the mental hospital remains unchanged, its asylum function is progressively eroded." That was published twenty years ago.

Another criticism of Dr. Szasz is also lacking in merit. Mrs. Isaac and Mr. Jaffe quote him as saying that there are no mental illnesses because the mind is not a bodily organ. But they also quote Fuller Torrey as saying that schizophrenia is a *brain* disease like multiple sclerosis. Even if Torrey is correct, in no way does he contradict Szasz's thesis that the category "mental illness" is illegitimate. That would also seem to be the implication of Torrey's statement.

Sheldon Richman
Cato Institute
Washington, D.C.

We have never said that Dr. Szasz wants to throw patients out of hospitals against their will. Mr. Richman also pretends that Dr. Szasz's position in no way contradicts Dr. Torrey's. Here is Torrey on Szasz: "His book on schizophrenia is one of the silliest books that you can find. . . . [he] knows nothing about schizophrenia . . . and doesn't know what he is talking about." The real question it how long libertarians will make themselves look foolish by championing the equivalent of the Flat Earth Society. —RJI

Letters will be held to 300 words. We reserve the right to edit for clarity or length.

Bearing the Flat Tax's Brunt

Rich Lowry's perceptive profile of Steve Forbes ["Rich and Spoiler," Jan. 29] confirms *NR*'s reputation for some of the sharpest political reporting around. However, in his zeal to explain the bottom-line significance of the flat tax for ordinary people, Mr. Lowry describes only half of the Forbes plan. It is true that the most visible portion of the Forbes plan, as with Dick Armey's and all other Hall–Rabushka variants, is a wage tax on labor income only. But Forbes also has a business tax that taxes all capital income from the first dollar, with no breaks or deductions whatsoever.

The Forbes wage tax is a tax cut for most individuals not only because of the low rate but also because it collects less than half the revenue of the current personal income tax. Meanwhile, the business tax collects more than triple the revenue of the current corporate income tax. This could easily imply large tax increases for many businesses. So it's a mistake to suggest that dividends or investment income goes untaxed under the Forbes plan. Owners of capital will be relieved of double taxation but still bear the brunt of tax payments in this country.

James P. Lucier Jr.
Americans for Tax Reform
Washington, D.C.

Trick or Treat?

For Richard Brookhiser ["Halloween Forever," Dec. 25] to say, "I know there is more to Hinduism" after a page of derision seems kind compared to Jonathan Foreman ["Lessons of the East"], who seems to lay the demise of Western civilization at the doorstep of Hinduism: "those who dabble in Indian mysticism (clutching their *Bhagavad Gita*) are not moved by great questions of good and evil." Maybe so for dabblers. But any serious study of the *Gita* or other sacred Hindu scriptures reveals a monotheistic doctrine whose objective, for the seeker, is unity with the one supreme God. The moral lessons of the *Gita* have their roots in "In the beginning, when God created all beings" (III:10).

As for India herself, she has made great strides against paganism with Arya Samaj and similar twentieth-century Hindu reform movements (with 100 million followers), but she is as much crippled by the disastrous effects of socialism, including an entrenched version of affirmative action against the caste system. Check out *India Today* and you will see how Indians worry about their own decline in morality, evidenced by such alarming statistics as one in six Indian undergraduates thinking premarital sex is OK. (When last was the American proportion that small?)

I do not advocate the acceptance of all cultures and traditions into the multiculturalist stew we (and India) may be cooking in. Rather, a genuine appreciation of the distilled essence of all great traditions just might keep us from vilifying our natural allies and enable civilization to survive globalization into the next millennium.

Joel Brind
Baruch College
New York, N.Y.

The Tenth Amendment

Pete du Pont complains that for the last half-century the Supreme Court has treated the Tenth Amendment as "but a truism" ["Pleading the Tenth," Nov. 27]. But as constitutional scholar Walter Berns demonstrated years ago, the language of the amendment itself compels just such a conclusion: "No court can base its holding in any case on the Amendment because the Amendment does not contain terms that can provide a rule of law." Mr. du Pont's quarrel is not with the Roosevelt Court but with Chief Justice John Marshall, who noted in *McCulloch* v. *Maryland* (1819) that the Tenth Amendment merely requires us to look elsewhere in the whole of the Constitution to determine what is in fact a delegated power of the United States and hence what is reserved to the states.

As for the commerce-clause precedent of Marshall's *Gibbons* v. *Ogden* ruling (1824), Marshall recognized the principled limits on Congress's commerce power, but made it clear that the enforcement of those limits lay not in judicial authority but in popular democracy: "The wisdom and discretion of Congress, their identity with the people, and the influence which their constituents possess at elections, are . . . the sole restraints on which they have relied, to secure them from its abuse."

And making the bums in Congress shape up can be accomplished without enacting a single one of Mr. du Pont's suggestions.

Matthew J. Franck
Radford University
Radford, Va.

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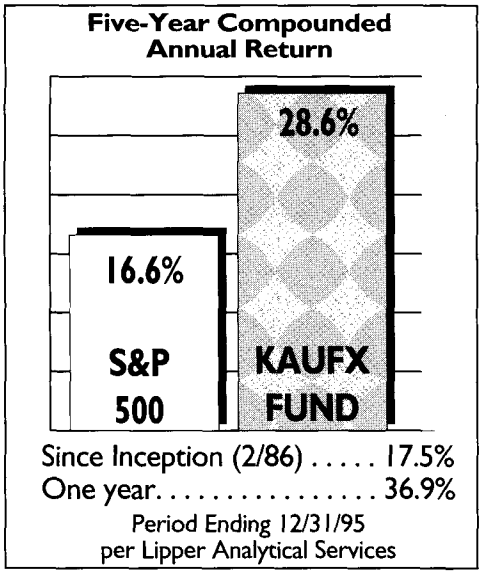

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FROM THE EDITOR

High Spirits

■ Calling spirits from the vasty deep is a notoriously unproductive enterprise (see *Henry IV*, Act III, Scene 1), but every now and then the spirits do come.

In a recent *NR* ten conservative organizations offered one modest reform each. Dan Stein of the Federation for American Immigration Reform (FAIR) suggested prohibiting anyone who had entered the U.S. illegally from ever being eligible for an immigrant visa.

Rep. Randy Tate (R., Wash.) has now introduced HR 2898, which he calls the "One Strike You're Out Illegal Immigration Act of 1996." Or, as his colleague Sonny Bono said when asked about illegal immigration: "What's to say—it's illegal."

Advancing his law, Mr. Tate sent a copy of our article to his congressional colleagues. So we hope to see the other nine reforms emerge from the Capitol's vasty deep some time soon.

■ Ramesh Ponnuru's report from New Hampshire confirms the hostility to Washington that seems to pervade America outside the Beltway. Although conservatives are supposed to feel this with particular intensity, I suspect there is less in it than meets the eye.

American voters, after all, spring instantly to the defense of any entitlement (e.g., Medicare) at even the hint of a cut. Noticing this, conservative politicians invariably begin their anti-Washington campaigns by announcing their undying affection for such programs.

What does the anti-Washington mood exploited by the GOP candidates signify? It draws on two wellsprings:

1. The "angry" belief, popularized by Ross Perot, that Washington is a corrupt city controlled by special interests and lobbyists. But corporate lobbies are generally defending themselves. Far from controlling Washington, business lobbies seek to influence a Washington that is controlling them. And anyway most special interests are the voters wearing different hats. There is no lobby more formidable than the AARP.

2. The "mean-minded" belief that the government is too large, too intrusive, and too faithful in reflecting the prejudices of the liberals who operate it even under the GOP. Voters are sick and tired of being told by some Deputy Assistant Under-Secretary that they are racist, sexist, homophobic, and polluters who need to be restrained by enlightened Deputy Assistant Under-Secretaries.

But the mean-minded view has a disadvantage: any serious attempt to cut Washington down to size will involve cutting Washington down to size.

Hence the appeal of the angry view. It enables politicians to attack "politicians" without committing themselves to cutting popular programs.

■ I first saw Gene Kelly in *Singing in the Rain* one wet Wednesday afternoon in 1952 in a suburban Liverpool cinema. Swept away by the songs and dances, I sat through two entire double-bills. When I eventually returned home, three hours late for dinner, my parents' wrath was terrible to behold.

But it was worth it. And anyway I had no choice. I was rooted to my seat as long as there was the prospect of seeing Mr. Kelly splash his way through the title number one more time.

Most obituaries have stressed the technical advances Gene Kelly pioneered—the pas de deux with Jerry the Mouse, for instance. But his screen personality was decisive to his fame.

He was as distinctively American as Gary Cooper, John Wayne, and Clark Gable: independent, robust, friendly, technically competent (remember, these were the years when every American kid could supposedly fix an automobile) and democratic in manners.

These stars made a friend for America of almost everyone abroad who went to the movies between, say, 1930 and 1960. Gene Kelly was the quintessential American singer and dancer when the American musical was at its peak. Thank God for film which still enables us to shout "Encore." —JOHN O'SULLIVAN

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FOR THE RECORD

■ **Steve Forbes** increasingly a lightning rod as his campaign continues to surge. **Phil Gramm** hit Forbes for columns in his magazine over the years advocating a $1.50 gas tax, the Panama Canal give-away, looser immigration laws, gays in the military, and once, in 1973, a **Ted Kennedy**-sponsored health-care bill. Forbes says of Kennedy bill, "Unlike the Washington politicians—they've never tried to admit they've ever made a mistake—I did on that one." . . . **Bob Dole** ran ad criticizing Forbes's stewardship of Board of International Broadcasting (BIB); a General Accounting Office report found waste during his tenure, including half a million dollars in excessive pay and benefits to Forbes's second-in-command, **Eugene Pell**. Forbes responds with radio spot featuring **Ronald Reagan** praising his work at BIB. . . . In New Hampshire, popular Gov. **Steve Merrill** appears in ad on Dole's behalf saying Forbes flat tax would mean $2,000 more in taxes for typical New Hampshire household. Critical flaw in ad: it relies on a study that didn't take account of the generous exemptions included in Forbes plan. . . . Forbes advisors and former **Jesse Helms** strategists **Carter Wrenn** and **Tom Ellis** come under fire: the *New York Times* reports Ellis had been a director of hereditarian Pioneer Fund; Republican National Committeeman **Harry Singleton** calls on Forbes to fire Wrenn for his role in controversial Jesse Helms "white hands" ad in 1990. . . . According to **Robert Novak**, **Newt Gingrich** has tried to convince **Jack Kemp** of adverse consequences of Forbes nomination, in effort to head off Kemp endorsement of the upstart Republican.

■ Heading toward February 20—New Hampshire primary day—both Gramm and **Lamar Alexander** hope the volatility of the race will make it possible for them to emerge as a top contender; one survey shows half of likely N.H. Republican voters saying they could change their minds between now and primary day. Alexander is running nice-guy ads in which he proclaims, "If you're looking for new Republican leadership instead of mudballs, I'm your candidate." . . . **Pat Buchanan** noses out Forbes in Alaska straw poll (33 to 31), deflating Gramm campaign talk of at least a second-place finish there. Predicting a "Buchanan–Forbes race," Buchanan knocks Forbes for "represent[ing] transnational corporations who send American jobs overseas by the millions." . . . Dole campaign still reeling from critical reaction to Dole's State of the Union response. Dole himself attempting to sound calm amid predictions of campaign's collapse: "If I worried about every poll, I'd have an Excedrin headache." But he has harsh words for **Reed Larson**'s National Right to Work Committee, which is running ads critical of him: "It is groups like the Right to Work organization that are not very effective and, about every election, they go after their few friends. That's why they have fewer and fewer friends."

■ White House moves to control damage from **Bill Clinton**'s comment in *Washington Post* interview that electing Democratic Congress won't be a major goal of his 1996 campaign because an appeal based solely on party would be "self-defeating." . . . Clinton communications director **Don Baer** got boost from positive reaction to State of the Union speech. Baer has been under fire from other, more liberal White House aides suspicious of his relationship with **Dick Morris**, the sometime Republican now advising Clinton. . . . The Machiavellian Morris makes headlines with revelation that he offered Dole campaign internal White House poll showing it would benefit Dole to cut deal on budget. . . . It's not just ghost-writer **Barbara Feinman** who has come in for shabby treatment from **Hillary Clinton**. According to *New Yorker*, **Nada Davis**, a hairdresser from Salon Christophe in Washington, had been visiting White House regularly to do First Lady's hair. Then she asked for payment and an aide told her she should be doing her trimming for the honor of it. (She did finally get paid, but no longer goes to White House.)

■ President Clinton sends contradictory signals to Peking on Taiwan. After Premier **Li Peng** warned that Peking had not ruled out force against Taiwan, Cmdr. **Timothy Stuart O'Leary** of Seventh Fleet said, "If things were that tense, they wouldn't let us [USS warship *Fort McHenry*] be here [in Shanghai], would they?" At same time Washington re-routed aircraft carrier *Nimitz*, en route to Persian Gulf, through Taiwan Straits. "I view that situation [Taiwan Straits] as a hair-trigger; we've got to be prepared to evaluate all options," says Sen. (and former Navy Secretary) **John Warner**. Washington's permission for Taiwanese Vice Pres. **Li Yuan-zu** to stop over in three U.S. cities en route to Haiti and El Salvador next month will bring new blasts from Peking like those following Pres. **Lee Teng-hui**'s visit last June. . . . "Any policy that counts on Russia remaining in its humiliating position following in the American wake is doomed to defeat," says Russian Communist Party leader **Gennadi Zyuganov**, probable presidential candidate in April against **Boris Yeltsin**, who is currently running fifth in polls. Yeltsin reportedly assured Clinton in telephone conversation that economic reforms would continue even though privatizer **Anatoly Chubais** has been replaced with apparatchik **Vladimir Kadannikov** as deputy PM for economics.

■ When rumors flew that N.Y. Lieutenant Governor **Betsy McCaughey** would challenge Sen. **Al D'Amato** for the Republican senatorial nomination in 1998, Sen. **John McCain** (R., Ariz.) remarked: "Who's going to start her car in the morning?"

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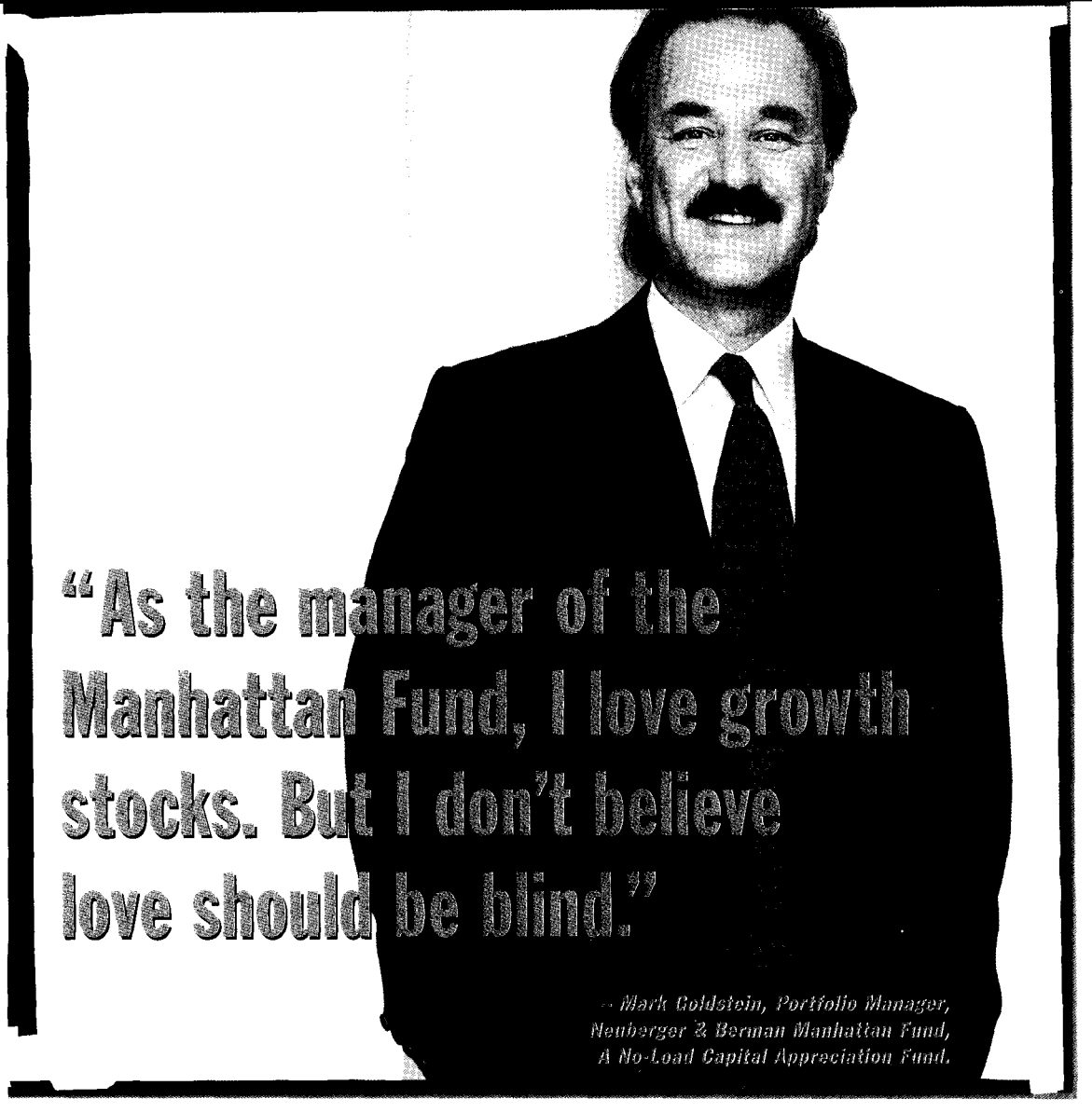
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THE WEEK

■ Outgoing, and if that isn't proof of God, what is? Rep. Pat Schroeder (D., Colo.) instructed Sen. Al D'Amato (R., N.Y.) to stop the "witch hunt" against Hillary Clinton. Ahhh . . . *le mot juste*.

■ The Republican loss of Bob Packwood's Oregon Senate seat shouldn't come as a shock, even though conservative businessman Gordon Smith had a good chance to pull off a long-shot victory there. Instead, Rep. Ron Wyden, the Portland liberal who in his 15 years in Congress has famously managed to avoid learning Bosnia's location or the name of the Canadian prime minister, squeaked through by a paper-thin 1 per cent margin. If Wyden's win is hardly a harbinger of a liberal revival, it does point to some Republican weaknesses, especially on the environment. Wyden made crucial inroads among suburban women with the issue, which Republicans have consistently mishandled over the last year (they have yet to find a convincing way to defend free-market environmental reforms). Meanwhile, liberal coalition groups demonstrated that they still have some weight to throw around, dumping hundreds of thousands of dollars into ads that made a mockery of Wyden's "100 per cent positive" campaign. The Teamsters ran a shameful radio spot accusing Smith of, in effect, being responsible for the death of a 14-year-old at one of his companies. Smith, a top-notch candidate, almost overcame it all, even prevailing among older voters, according to one exit poll, despite the usual Democratic Mediscare campaign. The GOP should take heart: if a conservative message almost takes in ecotopian Oregon, it can sell anywhere.

■ Mrs. Clinton must now be willing to answer the Senate Whitewater Committee's questions in writing. She called Barbara Feinman to the White House.

■ Rep. Charles Canady (R., Fla.) plans to revive his bill banning federal race and gender preferences, again presenting the House leadership with the decision whether or not to push it. Last year, the leadership blinked, opting for the development of an "empowerment package" that would, in theory, provide cover for a subsequent assault on racial preferences. That package is now almost complete, but waiting for it to wend its way through Congress would be a mistake. No package of enterprise zones and school vouchers is ever going to win over blocs of minority voters or make it easy to repeal preferences. But the same voices that urged the empowerment tack last year—including Southern conservatives worried about energizing their districts' black voters—will be raised against Canady again. Their fears are unjustified: Are any of the 226 Republicans who voted to end the Viacom set-aside last year suffering as a result? In any case, with a revived California Civil Rights Initiative now likely to make the November ballot (thanks to the support of Gov. Pete Wilson), there will be no dodging affirmative action in the fall. Congressional Republicans might as well seize the moral high ground of color-blindness, present President Clinton with a bill that makes for a tough veto—and stop looking guilt-ridden about it.

■ Dr. Kevorkian has presided over the suicide of his 27th "patient," showing once more that he believes the Hippocratic Oath to be a living document.

■ The ruckus over the proposed Parental Rights Amendment, which asserts that "The right of parents to direct the upbringing and education of their children shall not be infringed," points up the degree to which the traditional prerogatives of parents have already been eroded by the state. Through the schools, it has arrogated to itself the right to counsel children on everything from careers to abortion options. Introduced now in twenty state legislatures with eight more in the offing, the amendment has so far garnered wide support, including that of the very visible Virginia Gov. George Allen; some, believing the idea less viable as an amendment, have embodied its essence in more salable bills before legislatures. Critics say they oppose the watering-down of local school boards' legitimate authority to help abused or neglected children. What they really dread is the loss of the educational establishment's promotion of a purely secular agenda. One proponent of the amendment accurately described the

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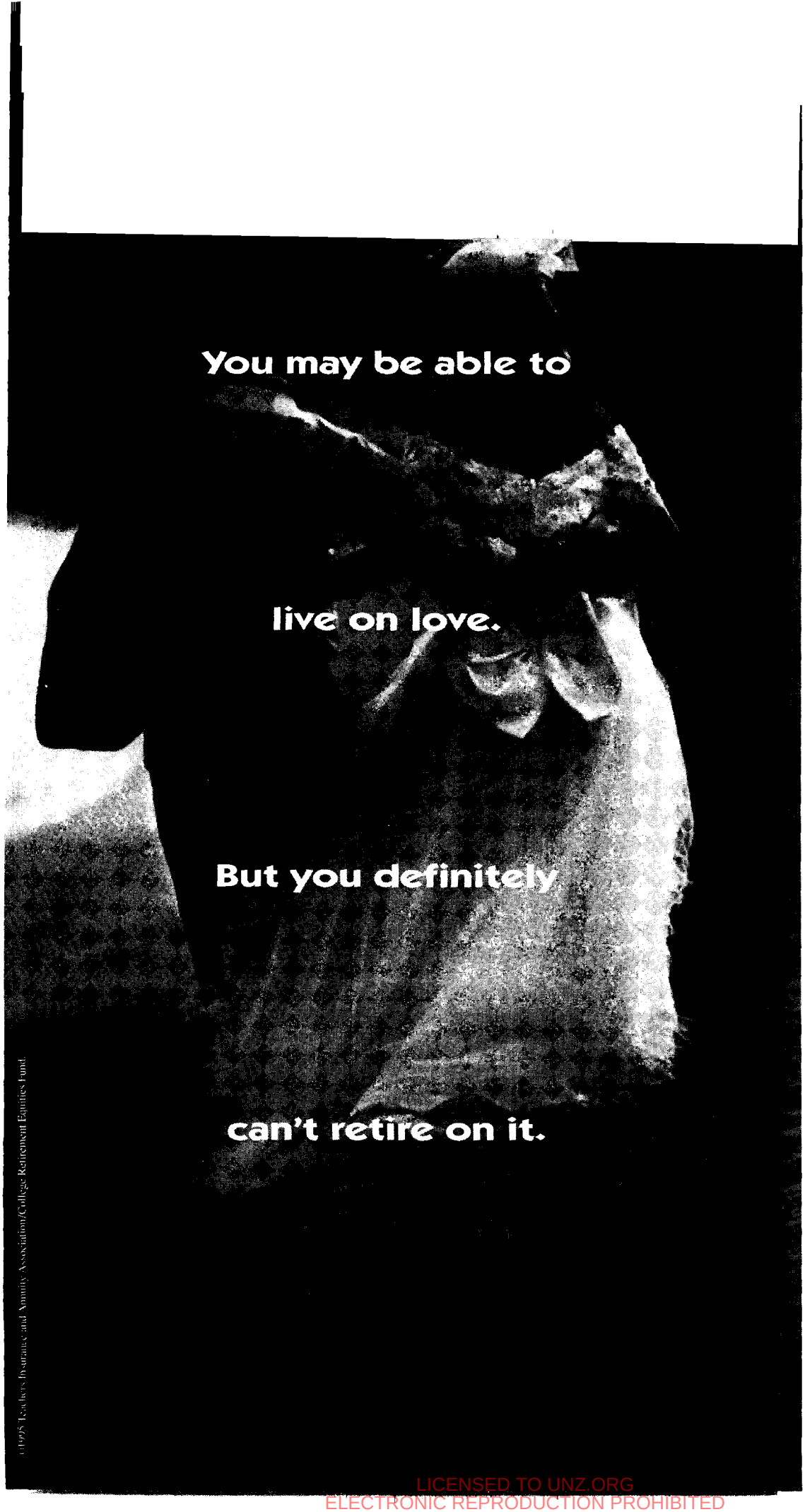

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opposition as showing "the level of distrust of parents by the elitist so-called experts who want to raise our children. Whose kids are they, anyway?"

■ At the big feminist meeting in Washington last week Michelle Billies, a 28-year-old social worker, sighed, "We do feel that the world is open to us. But we find out that it's not the clear straight path we may think it is." Welcome to the human race, baby.

■ House Democratic Leader Richard Gephardt has spent his long congressional career fighting Republican tax-cut proposals. In the 1980s he opposed President Reagan's cuts in the income-tax rate. In the early 1990s he successfully blocked President Bush's proposal to cut capital-gains taxes. And, today, he stands in the way of Republican efforts to grant parents a $500-per-child tax credit. Gephardt, a self-proclaimed advocate of "working Americans," says Republican tax-relief initiatives subsidize fat cats by raiding programs for the elderly, the poor, and the infirm. Thanks to an ethics complaint filed against Gephardt by Rep. Jennifer Dunn (R., Wash.) we now know that in 1991, while he was blocking tax cuts for the rest of us, he was involved in a property swap to acquire a substantial oceanfront lot. The deal enabled Gephardt to avoid paying about $79,500 in capital-gains taxes. Apparent inconsistencies among Gephardt's real-estate and tax records raise serious questions of possible tax and bank fraud. Worst of all, think of the schoolchildren who went without hot lunches.

■ The key to Republican success is to make the next election a referendum on the incumbent President—to run, in other words, a "negative" campaign. An implication of this strategy is that Republicans in Congress must abandon the attempt to build a "positive" record for themselves. An object lesson in what not to do is provided by the GOP's decision, as we go to press, to send President Clinton a watered-down package of welfare and Medicaid reforms cobbled together by the nation's governors. The substance of this deal is bad enough. For the sake of immediate budget savings for the states, Republicans are now endorsing proposals that would have no perceptible effect on American life—other than to persuade the public five years from now that conservative reforms have been tried and have failed. The politics is worse. Clinton has already vetoed welfare and Medicaid reform: now he will have another opportunity to deprive Republicans of a key issue and build up a fraudulent "New Democrat" personality. By September, he will be sounding like Charles Murray on the stump.

■ Re: President Clinton's veto (later overridden by Congress) of the bill limiting securities-fraud suits. With one stroke of his pen Mr. Clinton: a) alienated the business community, especially the high-tech companies headquartered in California, the most populous state; b) alienated Democratic moderates who supported the bill; c) aligned himself with trial lawyers, arguably the least-liked group in the nation; and d) reinforced the perception of a man bereft of core beliefs, since only a few days before his veto he was telling supporters he would sign the bill. Well, at least he's efficient.

■ It just isn't safe to make a joke about global warming. Someone will take it seriously. So it happened when we wrote that the January 7–8 blizzard in the Northeast obviously "proves" global warming has arrived . . . Whereupon Jessica Matthews, a leading environmentalist commentator, immediately wrote a column in the *Washington Post* arguing precisely this proposition with great seriousness. Global warming as a long-term trend, said she, is increasing the severity of the weather, whether hot or cold, flood or drought. The problem is that the climate models all predict higher temperatures at the poles (hence the melting of the icecaps) and minimal change at the equator. Since most extreme weather events are driven by temperature differences between the poles and the equator, global warming should reduce the severity of storms, not increase them. At other times it has been claimed that the warming would be apparent if only all that awful atmospheric pollution weren't there. A few years ago, we were being told that the explosion of Mount Pinatubo was masking global-warming effects. And so it goes. If one argument disappears, another is grasped, then another. The theory is logically unfalsifiable, hence unscientific. One thing, however, is clear: since global temperatures began to be measured accurately from a satellite in 1979, there has been no warming trend, rather a slight cooling. The rest is, well, hot air.

■ There are three things Hillary must do to become more popular. Unfortunately, no one knows what they are.

■ Jacques Chirac, the most pro-American French president in decades, recently paid a state visit to Washington. When he addressed a joint session of Congress, all the seats on the Republican side of the aisle were filled (so

Implausible Forbes

He is fresh and they are tired.
He's outside and they're all wired.
He's got dough, God knows, but they
Hit the tube like Old Dog Tray.
Whether Forbes will fold up like
Adlai taking swings at Ike
Looks less likely as his polls
Dig, dig, dig (Hi-Ho!) at Dole's.

—W. H. von Dreele

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Teaching in the Global Classroom

Madeline Reich, working with students from a Japanese middle school, found many similarities between Japanese and American children.

Teachers Exchange Fosters Understanding

When visiting American teacher Judy Diashyn walked into a Japanese classroom for the first time to teach a class, she wasn't quite sure what to expect. But then, the children turned to look at her, and all she saw was a sea of smiling faces. "I felt as if I were back home in America," recalls Diashyn, who teaches history at Mercy High School in Burlingame, California. "This was my classroom, and these were my students."

Diashyn was a participant in the annual U.S./Japan Teachers Exchange Program sponsored by Hitachi. Now in its eighth year, the exchange aims to promote mutual understanding, cultural awareness, and friendship between U.S. and Japanese citizens.

Since 1987, 60 teachers have participated in the program. For up to three weeks, participants teach in local schools, see the sights, and live with local residents.

"There is no better way to dispel misconceptions that Japanese and Americans have about each other than to spend time in each others' country," says Koichi Ueno, president of Hitachi America, Ltd. "We are glad to make this possible for Japanese and American teachers, and through them, their students."

Diashyn agrees. "My visit was the opportunity of a lifetime," she says. "It enabled me to personalize my teaching, to make Japan come alive for my students in a way that was not possible when my knowledge of Japan came only through textbooks."

A day-long visit by a group of Japanese teachers made a strong impact on students at the Winfield L. Morse School in North Tarrytown, N.Y. During the visit, the guests showed the students a video tape of a Japanese school. The next day, when Robert Cavaliero, the school's principal, entered a third grade classroom, the students stood, bowed, and greeted him in unison just as they had seen Japanese students greet their teachers in the video. "The kids were so impressed by the respect that Japanese children show for their teachers that they felt moved to do the same," he says.

For Madeline Reich, an English literature teacher at the New York School for the Deaf, the biggest surprise of the visit was not the differences between East and West but the similarities, particularly among children. For example, she observed that Japanese hearing impaired children prefer sign language just like their American counterparts even though Japanese schools emphasize oral communication. "As soon as the teachers turned their backs, the kids were signing away furiously," she recalls, adding, "It seems kids are the same all over."

Judy Diasyhn visited Japan as part of the Teachers Exchange

Hitachi is proud to sponsor the Teachers Exchange Program. We believe it is making a significant contribution to greater friendship and understanding between our countries.

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much for Republican isolationism), but there were rows of vacancies on the Democratic side. Some were out campaigning; some were protesting France's just-completed series of underground nuclear tests in the Pacific. Poor Chirac—boycotted by American Greens even after he had caved in to Clinton Administration pressures to curtail the tests. Perhaps the Republicans should have boycotted his speech to protest his cave-in.

■ *Sesame Street* is going to be shown in Russia. If Vlas, Enik, and Korzhik don't sound quite like Bert, Ernie, and the Cookie Monster, too bad. PBS gets its foot in the door, and we all know where that can lead. Next it will be Barney, then *All Things Considered*, then the restoration of the Soviet empire . . .

■ In Rochester, New York, the parents of a comatose young woman have been confronted with certain "ethical" considerations about saving the life of a baby growing inside their daughter's body. The daughter has been in a coma for ten years, and this past summer she seems to have been raped by someone at her nursing home. Before the car crash that sent her into a coma, she was adamantly pro-life, and so her parents think she would object to an abortion. An "ethicist" quoted in the *New York Times* will have none of it. Ellen Moskowitz asks if "using [the comatose woman] as a vessel . . . offends the natural order." So, goes the implied answer, off with the baby's head! For the pregnant woman's Catholic parents, the "natural order" has a name, God, and in His eyes using their daughter "as a vessel" is better than killing their grandchild. It looks as if "ethics," as our pluralists define it, is a one-way street, which always leads away from God, even if believers are involved. Which isn't very pluralistic, is it?

■ In an early reaction to our cover story last issue, the Clinton White House declared that "we're not" going to "throw in the towel" on the drug war, though "NATIONAL REVIEW might want to." New slogan: FIGHT DRUGS—DON'T INHALE.

Louisiana to Iowa

PAT Buchanan's upset victory in the Louisiana caucuses shakes up an already unsettled Republican race. It severely damages the candidacy of Phil Gramm, until now the leading non-outsider conservative in the contest; it allows Mr. Buchanan to assert a claim to conservative pre-eminence for himself and his ideas; it paradoxically smooths the path to the nomination for front-runner Bob Dole; and it ensures a turbulent primary season in the meantime. We congratulate Mr. Buchanan on his success, but the fact is that it threatens to derail the GOP's progress to majority-party status.

The November elections had been shaping up to be a political realignment. But a realignment to what? Even a Republican victory would be undercut if it were achieved under the banner of a presidential candidate who was not a vigorous exponent of real-world conservative ideas. For this reason, *NR* has argued that conservatives should unite in support of the rightwardmost viable candidate. Ideally, that candidate would set bold economic goals, beyond balancing the budget. He would have a strong commitment to traditional virtues. His foreign policy would prudently but forcefully advance American interests abroad, steering clear of both isolationism and multilateralism. He would defend America's common culture and national identity from a host of solvents. And he would make the case for that agenda with energy, high purpose, and magnanimity.

As with any ideal, nobody hits the mark exactly. But some candidates come closer than others. Lamar Alexander has addressed the issue of national unity, but only rhetorically—and even that rhetoric ("rising, shining America") lacks bite. He offers himself as a strong candidate in a general election—yet much of that seeming strength derives from his willingness to duck the hard issues and avoid necessary confrontations. Finally, his conservatism is of such recent vintage as to cast doubt on its durability. He will have to stick with it for a term or two longer to earn wide conservative support.

What chiefly recommends Bob Dole to conservatives is his character: his valiant service to his country in World War II; a grim realism about life's tragedies; a certain Midwestern decency; an often-justified suspicion of big ideas and big projects; and a dry wit. And the Senate majority leader who in 1985 led the charge to cut Social Security COLAs plainly does not lack political courage. If the Right sees Dole not as a moderate Midwestern conservative but as an unreliable trimmer, that is mainly because he was in the minority party for most of his congressional career. His political experience is of cutting deals from a disadvantageous position. That, plus a pedestrian political imagination, explains why he has trouble making his case. But Senator Dole does, of course, have opinions. He is the candidate of the conservative side of the status quo at a time of upheaval and opportunity. Doubtless he would be a capable President, fiscally responsible, prudent in foreign policy, and, in comparison with Bill Clinton, an adult. But would he reform welfare, slim down government, restructure the tax system, and repair America's sense of its own identity to the extent made possible by the post-1994 political world?

Which brings us to the fervent candidates in the race. Pat Buchanan, the gumbo *du jour*, has been a strong and articulate advocate of vital conservative causes—the right to life, restraints on immigration, judicial sanity, an end to racial quotas—that other candidates either ignore or downplay. And all conservatives should feel regard for Buchanan for his years of service in the political trenches. For the last three decades no conservative polemicist has thrown or taken punches with the tenacity and street-smarts of Pat Buchanan. In recent years, however, he has

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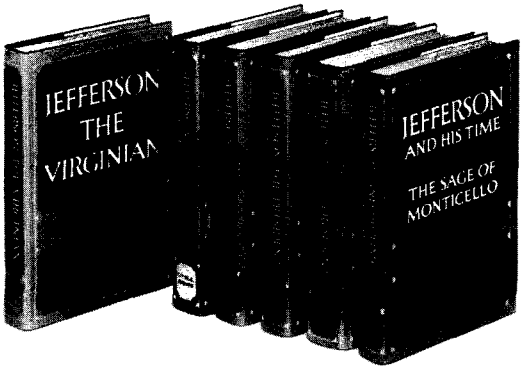

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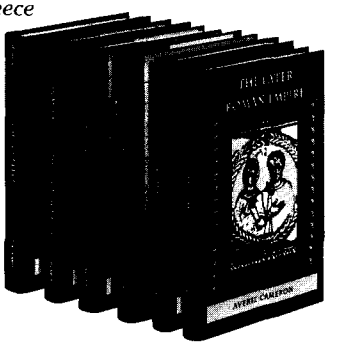

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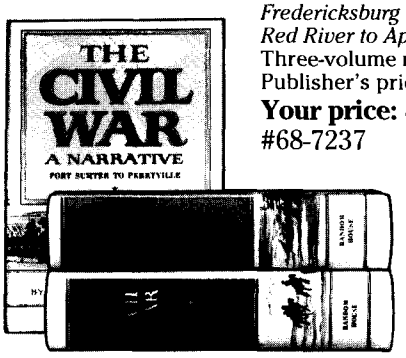

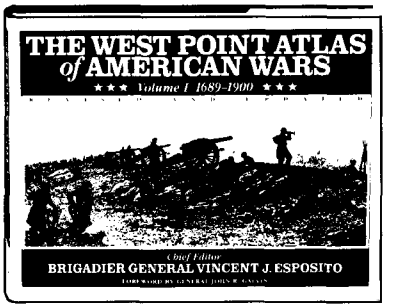

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forged an agenda increasingly at variance with that of most conservatives: notably, a foreign policy that would retreat from America's international commitments, and a trade policy that would levy tax increases on American consumers through higher tariffs. If these were marginal amendments to an otherwise Reaganite message, they might be overlooked. But Buchanan appears to be making them the centerpiece of his campaign. And this populism has moved him steadily leftward on other issues—to the point where he echoes Democratic attacks on GOP Medicare reforms. Buchanan argues this left-populist case with his usual sharp wit. We have no quarrel with him but one: we don't agree with the main planks of his platform.

If Buchanan has, consciously or not, abandoned limited-government conservatism, there is no strong evidence that Steve Forbes ever adopted it. Forbes deserves immense credit for putting tax cuts and economic growth on the campaign agenda. They are an indispensable component of the conservative message—but not its sum and substance. In the 1980s, they turned out to be compatible with government growth and cultural decay. For these dangers Mr. Forbes has a breezy contempt: given low marginal tax rates, his entrepreneurial America is a utopia secure against all hazards. Yet crime, illegitimacy, broken families, and multicultural dissolution are among the evils now threatening us. Steve Forbes has not yet found the problems, let alone the solutions.

And both Forbes and Buchanan threaten the GOP coalition. While Buchanan would detach free-marketeers from it, Forbes would do the same to social conservatives. For that reason among others (e.g., their never having held elective office), neither man would be likely to defeat Bill Clinton. Worse, they would shake the house that Reagan built.

AMONG all the Republican contenders, Phil Gramm has the most consistent conservative record on economics, social issues, and foreign policy. He opposed statist solutions to the "energy crisis" of the Seventies with the same fervor with which he opposed the Clintons' "health-care crisis" of the Nineties. Gramm is the candidate most likely to keep the GOP firmly anchored in a government-cutting consensus. Lastly and perhaps most importantly, Gramm has demonstrated a keen strategic sense of the structural changes in American politics that must occur as a precondition for a successful conservatism. Hence, for example, his passion for a balanced-budget rule. Often misinterpreted as the product of an accountant's vision, it is for Gramm a political mechanism to tame an overweening government that robs families of their autonomy and subsidizes social depredations.

As the Louisiana result demonstrated, however, Gramm has serious flaws. He is visibly uncomfortable addressing moral issues such as abortion—a failing highlighted by his 2 to 1 loss to Buchanan among Religious Right voters. He is oddly detached from America's cultural crisis; alone among GOP candidates, he does not endorse an English-language amendment. Gramm took conservative support for granted when he began; his message—narrowly focused until recently on government spending—has been weaker than his record; and his campaign hasn't shown much imagination. It is soon or never for him. He must integrate his social and economic conservatism on the stump, take on gut issues like racial quotas, tackle his opponents' weak points (such as Steve Forbes's support for near-open borders), and find a way to express hard truths in uplifting language. After all, Phil Gramm is not without virtues. The same doggedness that has made for inflexibility until now would inform his efforts to enact his agenda once elected. There is no candidate less likely to "grow" in office, to be lured by the press and Washington establishment to abandon his rock-ribbed conservatism. With a wife who is also a committed conservative (Wendy is the perfect counter to Hillary), President Phil Gramm would relentlessly push against the inertial forces of Washington.

And, contrary to the conventional wisdom, he would make the strongest challenger to Bill Clinton in November. He has a proven track record of winning the votes of Reagan Democrats (he used to be one, after all), independents, and blue-collar workers. These are the legs upon which any Republican victory in November will rest. In 1990 Gramm won re-election to his Senate seat with 41 per cent of union voters, 56 per cent of voters making $15,000 to $30,000 a year, 60 per cent of Catholic voters, 50 per cent of Hispanic voters, 26 per cent of black voters, 57 per cent of voters with a high-school education or less. He won his first congressional race after switching parties in a district that had never been represented by a Republican. Indeed, much of the establishment disdain heaped on Gramm is prompted by his rough-edged rhetoric, which is part of his appeal to voters who, in his words, "get their hands dirty." Gramm is a tireless, focused campaigner who is uniquely qualified to demolish Bill Clinton in debate.

He is not perfect; no candidate ever is. But we endorse Phil Gramm because he is the best man in the race.

God Bless Anonymous

Primary Colors, *a scalpel job that*
Peels back the derma, revealing the fat,
Leaves Bill and Hillary (not to say George,
James, and Al) fighting a runaway gorge,
While in the Capitol, titters and tuts
Indicate kicks are connecting with butts—
Animal sounds being amplified by
Larry and Rather and Rush. It's to die!

—W. H. von Dreele

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Democratic candidate William Jennings Bryan demands "mankind not be crucified on a cross of gold"

Republican Congress demands middle-class tax cuts

Though separated by time, space, and eloquence, both bits of rhetoric show that democracy is, as Jefferson said, a conversation. Between leaders. And between leaders and citizens.

Today, as we wend our way through the New World Order, Post-Industrial Society or whatever the future's being called this week, that conversation demands that we all be able to separate substance from mere sloganeering. That we all be able to think clearly, powerfully and morally.

Take as an example of just such thinking and just such a conversation Adelphi's Centennial Symposium — a debate over the future of the Western tradition that begins on Adelphi's campus March 7th.

Now, does that mean that everyone should go to Adelphi? Well, no. But it does mean that we hope everyone gets an education much like the one to be gotten at Adelphi over the last one hundred years.

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Thunder out of China

CHINA's international behavior is getting worse. Last year, its navy ejected Filipino fishermen from Mischief Reef in the Spratly archipelago and fortified the disputed territory. China has been selling nuclear reactors and cruise missiles to Iran. It bullies Hong Kong as the Crown Colony's citizens (and their British governors) attempt to institutionalize democracy before Peking's 1997 takeover. China's cavalier attitude to U.S. trade concerns, especially on the piracy of intellectual property, has the Clinton Administration contemplating economic sanctions.

But China's most serious threats are aimed at Taiwan. A presidential election is scheduled there in March, and the success of democracy and capitalism on the island is seen by Mainland hardliners as a threat to their dream of subjugating the "renegade province." Taiwan's bid for greater international recognition has provoked a thuggish reaction: Peking conducts missile tests and naval maneuvers close by, and visiting American academics are treated to official leaks that a missile barrage is primed and ready to go. Premier Li Peng recently warned that reunification is inevitable and that Peking can never rule out the use of force.

The Clinton Administration's silence is deafening. In late January, the Taiwanese leaked to the press that an American aircraft carrier had cruised the Taiwan Strait in December. All well and good—except that this leak was followed by the friendly port visit of another carrier to Shanghai. Some signal. Would that the Administration's national-security team were as concerned about China's threat to Pacific security as Mickey Kantor is about its piracy of American videos.

China's leaders today are not as sophisticated or disciplined as their predecessors. History is replete with disasters that occurred when mediocre leaders played with fire—sometimes encouraged by the weak responses of other mediocre leaders. The U.S. must now reaffirm its bipartisan commitment under the 1979 Taiwan Relations Act: that any resort to force in the Taiwan Strait will inevitably engage the United States. Pushing for Taiwan's independence now would not be a wise move, since it could provoke the very cataclysm America seeks to prevent. But if we can deter crude military threats for the time being, then political and economic evolution will work in Taiwan's favor. (Indeed, that accounts for Peking's growing desperation.) Economic ties and other contacts with the Mainland have been developing quietly for years; China needs the investment of Taiwanese and other overseas Chinese. With Communism discredited, the regime in Peking is inevitably heading toward some kind of terminal political crisis. If we play our cards right, it's Peking that's in trouble, not Taipei. The Generalissimo may yet have the last laugh.

The Week in Verse

You had to think there must have been some "era"
Or verbal mix-up worthy *Yogi Berra*
When, in his summ'ry of the *Union*'s State
(Which, by the way, is nothing less than great),
The *President* announced th' abandonment
Of all he stood for, with Big Government.
You heard him right? Why, then, I pray you teach
Me how the *Press* all thought it a fine speech.
" 'Twas well-pronounced; no syllable was slurred—"
And yet you can't believe a single word!
Ev'n *Hillary*, the object of his praise,
Looked skeptically upon that teary gaze.
(It's true she might have been a little keener
Had she not thought: "I'm facing a subpoena!")
Poor *Dole* in answer, faulted for his style,
His funeral make-up, rigor-mortis smile,
Had this to recommend him at the least:
His credibility was not deceased.

But as we looked into those hollow orbs
Did Fancy spot the specter of *Steve Forbes*?
Denied so long, the prize now all but won,
Could it be stolen by this rich man's son?
Too, *Gramm*, *Buchanan*, *Alexander* fight
With desperate urgency to lead the Right.
As round the turn the jockeying grows worse,
With elbows, whips, and epithets diverse—
As "hypocrite," "corrupt," or (gasp!) "insider"—
A certain big white horse still lacks a rider.
The first GI in *Bosnia* is killed;
Sri Lankan and *Burundian* blood is spilled;
In Russia, Reds could soon be back in power
(Ev'n faded Pinks poor *Chechnya* devour),
While *China* fires off threats aimed at *Taiwan*
And sells its best cruise missiles to *Iran*.
But what the heck! No matter who attacks,
Our warlike folk will have—the right *Flat Tax*!

—JUVENAL

Gene Kelly, R I P

GENE Kelly burst upon us at a moment fraught with peril for him but also lucky. A few years ago Baryshnikov said that Fred Astaire was the greatest dancer of the twentieth century, which statement includes not only Baryshnikov himself but also, say, Nijinsky.

The cosmopolitan and aristocratic Astaire had perfected a style which proved to be surprisingly popular in Depression-era America. Gene Kelly was fortunate that a different screen persona came naturally to him. "I was determined," he said in 1970, "to upset the tradition of Fred Astaire, white-tie-and-tails dancing." And upset it he did.

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Plessy vs. Ferguson

O.J. vs. the People of California

A hundred years ago the issue was the separation of the races. Today, race can't be separated from the issue.

Then again, everything from a prosecutor's changing hairstyles to television ratings had a go at obscuring what was supposed to be the search for justice.

Yet, if ever an event highlighted the importance of being able to separate substance from spectacle (something our society seems to have more than a little trouble doing), this trial is it.

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This doesn't mean a nation full of Adelphi graduates would have changed the outcome of Mr. Simpson's trial. It would, one hopes, simply have shortened it.

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He had been an athlete before he became a dancer. His energy and athleticism replaced Astaire's smooth sophistication; casual clothes took over from elegant ones, city streets from polished ballroom floors.

Kelly's screen persona also embodied a powerful American myth, that spirit and niceness triumph over adversity. In his greatest sequence, Kelly sings and dances in the rain, along an almost deserted street (the American as individual? an Edward Hopper lonely cityscape?)—and exits with a smile.

That smile, right there, is the magical American smile, metaphysical in its import, as Gatsby, Eisenhower, and Kelly's friend Reagan knew. To understand the depths of meaning behind it is to understand much about American culture. The creator of Gatsby's smile wrote once that America is "a willingness of the heart." The gods and goddesses of the pre-1960s screen may be our democratic equivalents of the ancient gods and goddesses on Olympus. Like Zeus and Hera and the rest, they never grow old and die.

Gene Kelly, immortal, at 83.

NOTES & ASIDES

■ Dear Bill:

When I wrote to you last week about the article celebrating the genius of Karl Popper [Dec. 25] I was not aware that he had been the subject of an exchange between the two greatest scholars and teachers of political philosophy of our time. It has been published recently in *Faith and Philosophy: The Correspondence Between Leo Strauss and Eric Voegelin, 1934–1964*.

I enclose photocopies of the letters. If I had written that *The Open Society and Its Enemies* was "beneath contempt" (Strauss) or "impudent, dilettantish c---" (Voegelin) I am sure you would have thought I was motivated by some personal animus. You can see for yourself what these two giants had to say.

As ever,
Harry V. Jaffa
Claremont College

Letter 29
April 10, 1950

My dear Mr. Voegelin:

You have misunderstood me, as you could not decipher my disgraceful handwriting. I spoke not of "extrahuman" but rather of "extratheoretical" *presupposition*. The question is whether there is a pure grasp of truth as an *essential human possibility*, quite regardless of what the conditions and *actualization* of this possibility are, or whether there is *not* such a grasp as an essential possibility. When you say "only at such and such a time did that order of the soul emerge," you leave open the question whether this order of the soul is the natural telos of Man or a "coincidence"; that it also *could not* have emerged, does that not deprive it of the status of a telos? However that may be, it seems to me, nonetheless, that we are in more fundamental agreement than I believed.

May I ask you to let me know sometime what you think of Mr. Popper. He gave a lecture here, on the task of social philosophy, that was beneath contempt: it was the most washed-out, lifeless positivism trying to whistle in the dark, linked to a complete inability to think "rationally," although it passed itself off as "rationalism"—it was very bad. I cannot imagine that such a man ever wrote something that was worthwhile reading, and yet it appears to be a professional duty to become familiar with his productions. Could you say something to me about that—if you wish, I will keep it to myself.

Warmest greetings,
Leo Strauss

Letter 30
April 18, 1950

Dear Mr. Strauss:

The opportunity to speak a few deeply felt words about Karl Popper to a kindred soul is too golden to endure a long delay. This Popper has been for years, not exactly a stone against which one stumbles, but a troublesome pebble that I must continually nudge from the path, in that he is constantly pushed upon me by people who insist that his work on the "open society and its enemies" is one of the social science masterpieces of our times. This insistence persuaded me to read the work even though I would otherwise not have touched it. You are quite right to say that it is a vocational duty to make ourselves familiar with the ideas of such a work when they lie in our field; I would hold out against this duty the other vocational duty, not to write and to publish such a work. In that Popper violated this elementary vocational duty and stole several hours of my lifetime, which I devoted to fulfilling my vocational duty, I feel completely justified in saying without reservation that this book is impudent, dilettantish c---. Every single sentence is a scandal, but it is still possible to lift out a few main annoyances.

. . . Briefly and in sum: Popper's book is a scandal without extenuating circumstances; in its intellectual attitude it is the typical produce of a failed intellectual; spiritually one would have to use expressions like rascally, impertinent, loutish; in terms of technical competence, as a piece in the history of thought, it is dilettantish, and as a result is worthless.

It would not be suitable to show this letter to the unqualified. Where it concerns its factual contents, I would see it as a violation of the vocational duty you identified, to support this scandal through silence.

Eric Voegelin

Dear Harry: Well, well. We certainly do have an open society! Cordially, Bill **—WFB**

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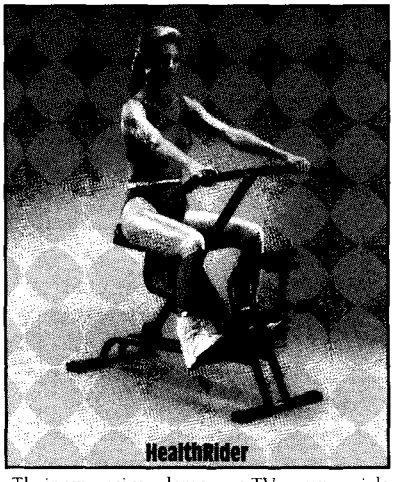

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CAPITAL SCENE

A Quota by Any Other Name

JORGE AMSELLE

Roman Genn

RICHMOND, VA.

JUST recently, pundits were ringing the death knell for affirmative action. With the California Civil Rights Initiative getting under way and a new Republican majority in Congress, it seemed as if the era of quotas and preferences was at an end. But the assault on affirmative action has yet to materialize. In fact, the only blow to the quota regime so far has come not from Congress but from the Supreme Court, in its decision in *Adarand Constructors* v. *Peña* last June.

Adarand extended the so-called strict-scrutiny standard required of state and local preference programs to the federal level. But this apparent setback to affirmative action may well prove inconsequential. Previous court rulings reining in affirmative action have been ignored or evaded by state and local governments looking to please special interests and preserve a reputation for "diversity."

Take the 1989 case *J. A. Croson* v. *Richmond*, in which the Supreme Court struck down a Richmond minority set-aside program and established the strict-scrutiny standard for race-based contracting by state and local governments. For race-based programs to be acceptable under *Croson*, there must be compelling evidence of disparate treatment of minorities, programs must be of a temporary and last resort, and they must be narrowly tailored to an identifiable population and must address a specific industry or area.

Richmond has nonetheless managed to build a new racial-entitlement system on the ashes of the old one. The evolution and implementation of this new program provide a glimpse of what the future holds for federal programs in light of the *Adarand* decision.

Under the program declared unconstitutional in *Croson*, Richmond had set aside for minority-owned businesses 30 per cent of contracting for construction projects and various forms of services. After the decision, Richmond commissioned a study by National Economic Research Associates. In 1991, Richmond announced that the study had "proved" that Minority Business Enterprises were being significantly underutilized in the Richmond area. As a remedy it instituted a 16 per cent MBE participation goal.

In fact, the NERA study was blatantly rigged to come up with the right answer. First, it defined discrimination as disparate impact (a much lower standard than disparate treatment). Then, it assumed that "in the absence of discrimination the percentage of dollars received by MBEs would equal the percentage of construction establishments owned and operated by minorities," thus failing to take into account the comparative size of minority and non-minority businesses. The report readily admits to this error, "Of course, minorities operate smaller businesses than non-minorities. . . . It is impossible to ascribe all the problems that limit the development of MBEs to current discrimination. Nonetheless, comparing the percentage of businesses operated by minorities to the percentage of contract dollars received by minorities is useful and possibly consistent with *Croson*."

NERA's study also found "no decided cases" of employment-discrimination litigation against construction companies in the Richmond area and no evidence of discrimination in employment (according to the report, "we do not have sufficient information to conclude that the under-representation [of minorities] results from discrimination").

Furthermore, the disparity study found that "over 75 per cent of minority dollars went to just four firms . . . One of these, Quail Oak, accounts for 46 per cent of all dollars awarded to MBEs; it also ranks fourth among all contractors in dollars awarded." The study admits that because the overwhelming majority of the money is going to only four MBEs, "Richmond's construction spending is probably not assisting in the further development of MBEs in the Richmond area."

Perhaps most surprisingly, NERA actually found that MBEs were being *over-represented* in Richmond-area contracting: "Since the [original] set-aside program ended, MBEs have received a larger share of prime and subcontract awards and a larger share of prime contract award dollars than we would expect based on their availability." Nevertheless, on the basis of *some* disparity and anecdotal evidence of discrimination, both NERA and the city claimed that a new minority program was justified.

DISPARITY studies in general have a shoddy history. According to George La Noue, a professor of political science at the University of Maryland, "There is a tendency for cities to commission these studies when they want, or already have, a minority program." One case in point is that of KPMG Peat Marwick's disparity study for Miami. When this study failed to find evidence of discrimination against blacks or Hispanics, the city commission rejected the study and ordered a new one with more acceptable results.

Richmond's public-procurement law requires that city contractors first prequalify. All contractors are given a score

Mr. Amselle is the Communications Director for the Washington-based Center for Equal Opportunity.

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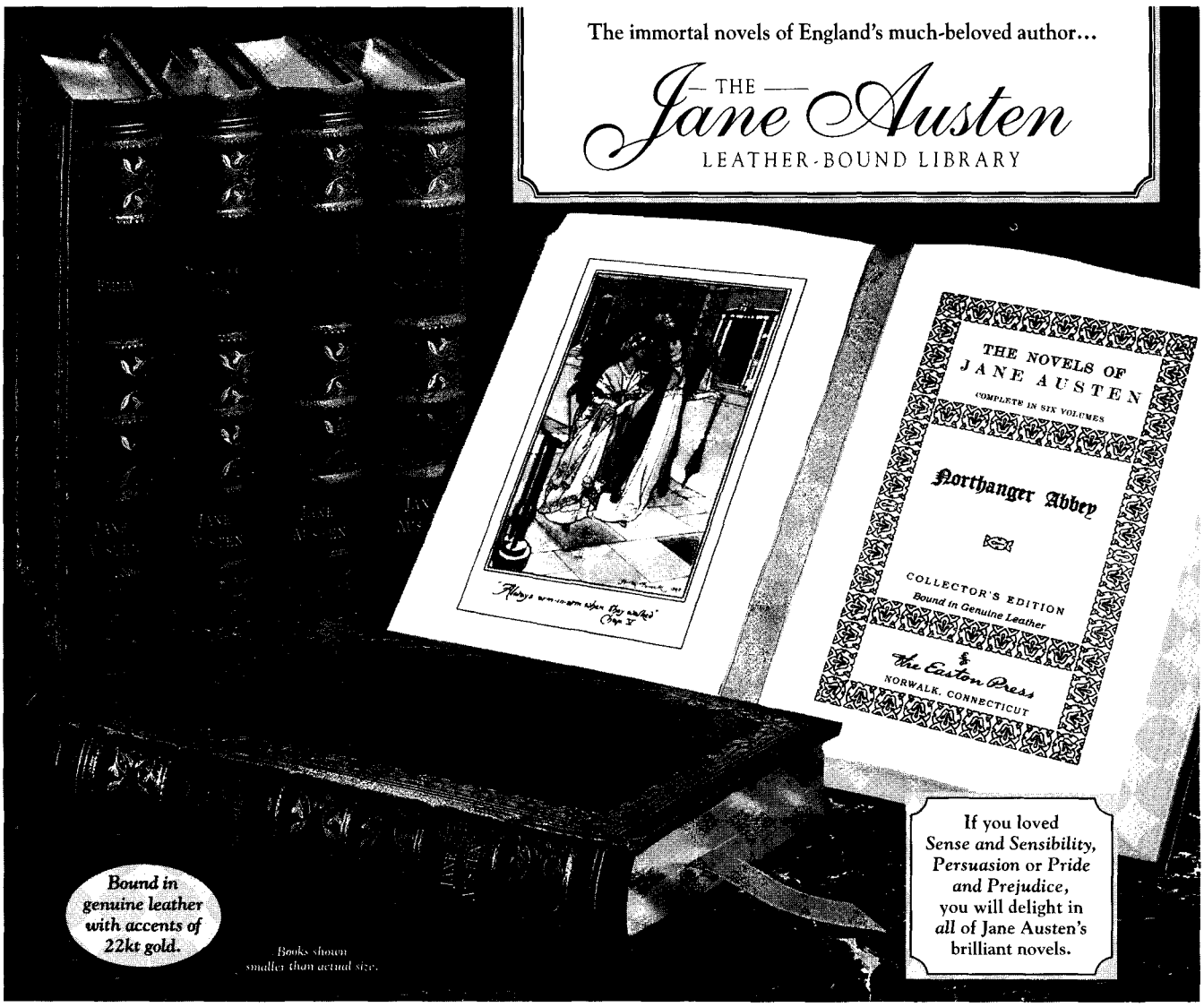

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from 0 to 100, and only the top few are invited to bid. This score is based on a variety of factors, two of which are minority participation, which refers to both employment practices and subcontracting. (By the way, "minority" here is restricted to "a minority that has been subjected to legally mandated racial segregation in Richmond"—in other words, blacks only.) A contractor's past and proposed minority participation is worth 30 points (more than any other criterion). The city code claims that the disparity between MBEs and non-MBEs is due primarily to discrimination, but that "regardless of cause, it is imperative to the public good that the disparities be redressed and corrected." It goes on to cite various consequences arising from this disparity, among them: lack of competition resulting in higher costs, unemployment, crime, and instability of minority families. It apparently has not occurred to city officials that crime, unemployment, and unstable families may be the cause of disparity rather than the other way around.

Contractors who fail to meet the goal must convince the city that they were unable to. Failure to satisfy city bureaucrats can result in being barred from city contracting for two years. Contractors are required to fill out a "Proposed Good Faith Efforts" form with a Yes and a No box. When I asked Debbie Barnes, the city's MBE Administrator, if anyone had ever checked the No box, she said that one contractor had but changed the response after she questioned the company's senior partner.

The lowest score Debbie Barnes has ever seen for someone who pre-qualified to bid was 75. The maximum score anyone can get without minority participation is 70. Essentially, if a contractor wants to do business with the city, it must agree to a "voluntary" minority-participation program. "Our goals can not be considered quotas because they are flexible," she said. Not surprisingly, Richmond consistently meets its 16 per cent MBE-participation goal.

Contractors are not happy with this new program. Mark Singer, Executive Director of the Richmond Area Municipal Contractors Association, complained that "there are successful minority contractors that continue to benefit from the program."

According to Steve Vermillion, Executive Director of the Richmond chapter of the Associated General Contractors, "Contractors have a clear incentive to simply treat the city's goal like a quota." Nationally, the Associated General Contractors of America has been leading the fight against race-based programs in public contracting. "Any program that applies pressure to government contractors to base decisions on race is discriminatory," says Mike Kennedy, General Counsel for the AGC. "People use the word 'goal' to try and suggest that their program is inspirational," he said, "but if you meet the 'goal' you don't have to demonstrate good-faith efforts. You are pressured to just meet the goal."

The case of Richmond demonstrates that racial preferences are far from dead. The short-term legacy of the *Adarand* decision will be more litigation. The Clinton Administration has made it very clear that it intends to do all it can to preserve the current system of preferences. In the end, the Federal Government will be forced to conduct intense regional disparity studies to justify its programs. If they are successful, "goals" will replace quotas across the country—and nothing will have changed. □

Flat and Simple, Stupid

STEPHEN MOORE

WASHINGTON, D.C.

GO to one of the Republican presidential-primary debates in Iowa or New Hampshire these days and you're likely to see a hockey game break out. Smack in the center of the chaos is, of course, Steve Forbes, with his populist 17 per cent flat tax. "Reducing the culture of power in Washington," preaches Forbes, "must begin with overturning the tax system."

What is so dispiriting is that to derail this upstart millionaire, virtually the whole GOP field is now trash-talking the flat tax. Dole, for example, grumbles continuously that the 17 per cent plan would inflate the budget deficit by $182 billion. Where did this number come from? Straight out of the political office of the Clinton Treasury Department. Now *there*'s an unimpeachable source.

Or take Lamar Alexander, who has soared to 5 per cent in recent polls. Alexander appeared on *Face the Nation* after the Iowa debate ridiculing the flat tax as "a truly nutty idea." "I think it would be a disaster for America" and would "cause a real-estate crash." Oh, please, Lamar. Die with dignity.

Equally disappointing have been Gramm and Buchanan, who have resorted to the Gephardtian class-warfare arsenal. The flat tax is a "giant tax cut for the rich," warns Buchanan, "and a tax hike for the middle class." The plan looks as if it was "worked up at the yacht basin." Meanwhile, Gramm lampoons Forbes regularly as "Richie-Rich." "The toughest challenge Steve Forbes ever faced in life," quips Gramm's campaign manager in New Hampshire, Jim Courtovich, "was when he was a sperm swimming upstream to the egg." Ahh, there's nothing like a fight within the family.

But while Forbes seems to be holding up nicely, the worry among supply-siders is that the flat tax is taking a merciless beating. "This is the first time I've ever seen politicians attack the message to destroy the messenger," laments House Majority Leader Dick Armey, the original torchbearer of the flat tax. It was his postcard plan that was adopted almost to the letter by Forbes. In a January 22 letter a fuming Armey lectured Lamar Alexander to "restrain your overheated rhetoric . . . on the flat tax." Armey called Alexander's flat-tax criticisms "bizarre" and "distorted." "Virtually every prominent public-finance economist in this country," writes Armey accurately, "including a number of Nobel laureates, believes the flat tax would lead to greater economic growth and higher living standards."

Armey is right to be dismayed over the pummeling of the flat tax. Flat taxers have been happily thinking that this issue could help carry the GOP to another electoral stampede in 1996. But as *Washington Post* political reporter David Broder correctly calculates: "Every dollar that Dole, Gramm, Buchanan, and Alexander spend trashing Forbes's flat tax is a boon to the Democrats."

Yet for all the internal warfare, the best-kept secret in the presidential sweepstakes is that Buchanan, Gramm, and yes, even Bob Dole have endorsed a

Mr. Moore is director of fiscal-policy studies at the Cato Institute.

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flat tax of one sort of another. Gramm, for example, wants a 16 per cent flat tax that retains the levy on so-called capital income, while preserving the mortgage-interest and charitable deductions. Otherwise Gramm's plan is a virtual carbon copy of Forbes's plan. Dole hasn't endorsed any particular plan, but in January he embraced the report of Jack Kemp's commission, which recommends a generic flat tax. Three lesser candidates—Richard Lugar, Alan Keyes, and Bob Dornan—want to replace the income tax with a national sales tax.

Still, if the anti-flat-tax rhetoric seems to be overheated now, wait till the Olympic-caliber class-warfare demagogues, like James Carville, join the assault. Here then is a rundown of major flat-tax issues, and some unsolicited advice about how to resolve them.

"*Tax cut for the rich.*" On this issue, Phil Gramm is right and Steve Forbes is wrong. The core principle of the Armey–Forbes plan is that all income should be taxed once, and only once. This is why Forbes eliminates the capital-gains, interest-income, and dividends tax. These capital taxes are already collected through the business tax. But our current tax system double-taxes labor income also—once with the personal income tax, and again with the payroll tax. Under the Forbes plan capital income would be taxed once, at the business level, but labor income would still be taxed twice—at the 17 per cent income-tax rate *and* at the 15 per cent payroll-tax rate. By contrast, under the Gramm plan, because *all* income would be taxed, Ross Perot and Archie Bunker would each pay 16 per cent tax on their postcard returns. Flat-tax purists, especially Dick Armey, loathe the Gramm approach, but the truth is that the investment community would do cartwheels down Wall Street for a 16 per cent capital-gains tax. And the Gramm plan gives the middle class a lower rate and a lighter burden. Everyone's happy —except Dick Gephardt.

"*Increases the deficit.*" Sometimes even Republicans—particularly Bob Dole—need to be reminded: the great fiscal lesson of the 1980s is that lower tax rates often produce more, not less, revenue. After Reagan's tax cuts, federal revenues doubled, from $530 billion in 1980 to $1,031 billion in 1990. Tax revenues climbed at a 20 per cent faster clip in the 1980s than in the 1990s, which saw two world-record tax increases.

The Treasury Department analysis suggesting that the flat tax raises the deficit by $180 billion is unadulterated bunk. The results are based on static revenue analysis—the assumption that people will behave exactly the same way with or without a flat tax and that the economy will not grow any faster even if tax rates are cut in half. This was the same analytical model that assured us that the 1990 budget deal was going to give us a balanced budget by 1995.

Alan Auerbach, an economist at the University of California at Berkeley, and former head of the Joint Tax Committee under the Democrats, says that a Forbes flat tax would expand economic output by 5.7 per cent in five years. This translates into an economy that produces $520 billion more output, $3,000 higher average family income,

Roman Genn

and $88 billion more tax revenue than the Treasury assumed.

But how do you enact a flat tax that doesn't raise anyone's taxes and also doesn't increase the deficit? Cut government spending, stupid. If higher economic-growth rates were combined with a cut in federal spending of about 3 per cent, the 17 per cent Forbes flat tax would harm no taxpayer while still not adding a drop of red ink.

"*Real-estate depression.*" The real-estate industry in Washington worships at the altar of the mortgage-interest deduction. The industry has threatened to spend up to $10 million to discredit the flat tax. The disinformation campaign has begun. The National Association of Realtors recently released a flimsy DRI McGraw-Hill econometric "study" suggesting a 10 to 20 per cent decline in the value of homes if the mortgage-interest deduction is taken away.

In fact, the mortgage-interest deduction does not drive real estate—interest rates and income levels do. That was the experience of the 1980s, when the value of the mortgage deduction fell after the Reagan tax cuts but real estate experienced a boom. A recent study by Federal Reserve Board economist John Golob predicts that a flat tax would lower interest rates by as much as 25 per cent, because the pool of savings would rise. This would mean a decline of 150 to 200 basis points in mortgage-interest rates. The savings from an interest-rate decline this significant on a new home mortgage would more than compensate (by an average of $384 per year) for the loss of the mortgage-interest deduction. Meanwhile, the lower rates would cause a stampede of current home owners rushing to refinance their mortgages.

To put it plainly: there's no economic case whatsoever for preserving the mortgage deduction with a flat tax. Retaining this deduction would merely undercut the integrity of the flat-tax concept. If the real-estate industry is permitted to cut a separate deal with Congress, we're right back having deductions and loopholes auctioned off to the highest bidder. This is a vote for preserving the flat tax's virginity.

"*Charitable giving.*" Hospitals, churches, and museums existed long before 1913. Americans surely don't need an income-tax write-off to be charitable. The great value of low tax rates is that deductions become increasingly irrelevant. At a 16 per cent flat rate, it would hardly be worth the effort to keep the charitable receipts. In the 1980s the top income-tax rate fell from 70 per cent to 28 per cent. But guess what? The 1980s saw the fastest growth in charitable giving in history—even as the charitable deduction's value fell by 60 per cent. Charitable giving in the United States over the past forty years almost exactly parallels the growth in personal income. Since the flat tax will raise Americans' take-home pay, it will cause a boom in giving.

Whatever the immediate outcome, the lesson of the Forbes phenomenon is that his idea of uprooting the entirety of the current tax code has astonishingly broad-based resonance with voters. Forbes has taken grass-roots America by storm not just because he has money to burn, but because he's selling a remarkably good product. Messrs. Alexander, Buchanan, Dole, and Gramm have good reason to be worried. □

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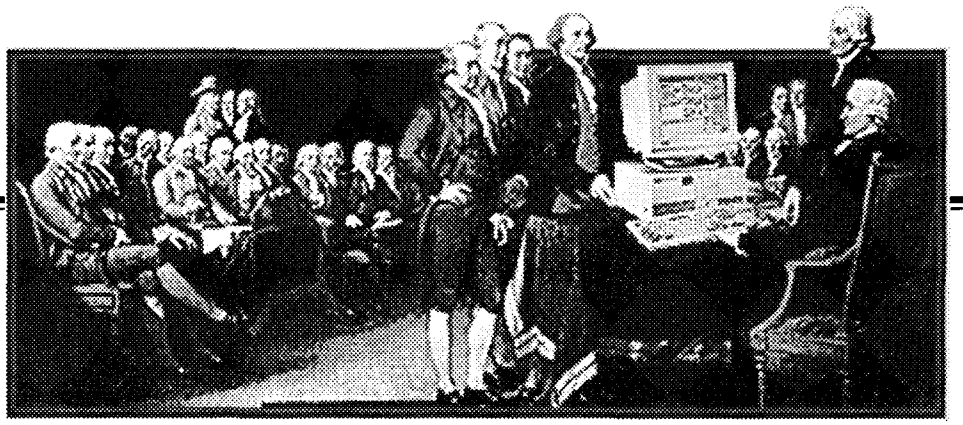

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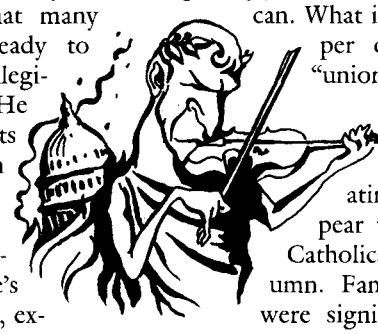
BREAD & CIRCUSES

THIS YEAR Republican National Committee Chairman Haley Barbour plans to be more persistent in seeking converts than a Jehovah's Witness. When the typical Jehovah's Witness learns that he's knocked on a Catholic's door, he'll assume it's a hopeless case and move on in search of more promising prospects. (Try it). But Barbour is convinced that many Roman Catholics are ready to abandon their historic allegiance to the Democrats. He believes these converts could provide the margin of victory for Republicans in November.



Ed Gillespie, the Republican National Committee's Communications Director, explains that Catholics are among the GOP's top targeted groups. There are, of course, millions of Catholic Republicans. But the majority of Catholics remain a swing vote that "is critically important in battleground states." Catholics represent about 25 per cent of the population and are heavily concentrated in the states that will be most hotly contested in November. They are 30 per cent of the population in Pennsylvania, 31 per cent in Illinois, and 42 per cent in New Jersey and Connecticut. And since Catholics vote so faithfully, they wield considerable clout at the ballot box—they account for 39 per cent of the voting population in Pennsylvania and 50 per cent in New Jersey. In seeking Catholic support, the Republicans will be proselytizing where the votes are. But are most of these traditional Democrats ready to convert?

The omens are promising. From 1976 through 1992, Democratic House candidates received, on average, over 60 per cent of the Catholic vote. In November 1994, for the first time in history, a majority of Catholics supported GOP House candidates. By examining the vote that helped put Newt Gingrich in the Speaker's chair, Republicans hope to craft a message that will solidify their newly won Catholic support.

Exit-poll data from the Voter News Service reveal that support for GOP candidates was strongest among younger Catholics (53 per cent of 18-to-29-year-olds, and 59 per cent of 31-to-40-year-olds), indicating that they share the faith of their fathers, but reject politics *patrum*. Catholics with higher incomes and educational attainment were unsurprisingly more likely to vote Republican. What is significant is that 41 per cent of Catholics in "union households" also supported the GOP. Specific issues and Bill Clinton's fluctuating popularity both appear to have helped swing Catholics into the GOP column. Family values and taxes were significantly more important than other issues to Catholics who voted Republican. For those who regularly attend church, abortion was the third issue of concern. In last June's *The Public Perspective*, four political scientists, after examining these issues and the demographics of various religious groups, concluded that "religion was more powerful than economics in 1994." They write, "New forms of ethno-religious politics are emerging, with the GOP drawing the more religiously observant voters, at least among whites, and the Democrats attracting the least observant in the major traditions, secularists, and various minority groups." If the central tenet of the GOP's gospel remains a balanced budget, it will not be speaking directly to the sensibilities of these values voters.

The majority of Catholic congressmen from New York are now Republicans, and one of them draws the same lesson from his own observations: Rep. Peter King believes that in order to appeal to ethnic Catholic voters, his party has to emphasize "neighborhood, community, and patriotism and get away from what will happen to the economy in 2002."

King would like to see Republicans talking more about crime, quotas, education, and welfare. He tells how he has recently learned of the appeal of an issue little talked about in Washington but enormously popular with voters. To fill a space in one of his newsletters, King inserted a paragraph about his co-sponsorship of an English-as-the-official-language bill. "Mail came in by the ton," King recalls. He reports that he recently received a standing ovation from a group of retired constituents when he briefly mentioned the English-language bill as a preface to his remarks on Medicare. "It's a metaphor for what's wrong with the country and for the failure of the Great Society programs," King says.

Recent polling data confirm King's assertion that the same sort of issues that appealed to Reagan Democrats in the 1980s still appeal to Catholic voters today. The Tarrance Group has found that over three-quarters of Catholic voters support parental choice of schools, oppose race and gender quotas, and believe welfare programs foster dependency. The Executive Director of the Maryland Catholic Conference, Richard Dowling, believes that Democratic support for gays in the military and for an ever higher wall of separation between church and state has alienated many Catholics. "The Republicans may yet be bland in the eyes of traditional Catholics; the Democrats have become countercultural," he states.

OTHER polling data suggest that in voting for Republicans in 1994, Catholics were voicing their disapproval of Bill Clinton, the man and the moral agenda. His previously high approval rating among Catholics began sinking in the spring of 1994, and by election day only 33 per cent of Catholics had a favorable opinion of the President. Observers believe that the Joycelyn Elders controversies, the Clinton Administration's clash with the Vatican at the Cairo population conference, and the crime-bill debate cost support from Catholic voters, who eschew the Republican label but identify themselves as conservative rather than liberal by a ratio of 2 to 1.

However, Republicans can't count on these Clinton mistakes being repeated. Barbour's opponents at the DNC are studying the same electoral maps. Clinton, posing as a reconstituted New Democrat in favor of strong families, Hollywood self-restraint, tax cuts, and welfare reform could win back the disaffected. Indeed, today, 53 per cent of Catholics have a favorable opinion of Bill Clinton. Haley Barbour's troops still have their work cut out for them. —KATE O'BEIRNE

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ON THE SCENE

New Hampshire Traditions

RAMESH PONNURU

Roman Genn

CONCORD & MANCHESTER

IT'S NINE degrees below zero, not counting some serious wind chill, and a coatless Pat Buchanan is strolling in front of the New Hampshire statehouse in Concord. He wears no coat because, well, presidential candidates don't: showing common sense is for some reason considered a disqualification for office. He's strolling because a camera crew is doing a segment on how Concordians are more likely to return lost wallets than folks in less honest environs. Buchanan hams it up, whistling as he walks and then wearing a quizzical expression as he picks up a "lost" wallet. Here was proof, if any more were needed, that New Hampshire voters are spoiled: presidential candidates are available as props in human-interest stories.

Their political leaders certainly believe in the uniqueness of the state's fabled "retail politics." Voters want to meet and touch the candidates. One voter, asked whether she would support a certain candidate, said, "I don't know. I've only met him three times"—or so the story is told. And retold: I heard it at least eight times in the span of a few days from conservative activists, Republican Party officials, and campaign managers. Each time, the cliché was related without a trace of self-consciousness, and followed by a homily on the importance of protecting the state primary's first-in-the-nation status. Said one, "It's been a tradition not just in New Hampshire—it's an American tradition."

Another New Hampshire tradition is scaring front-runners, as Bob Dole is now discovering. Critics have managed to blow up his lackluster response to the State of the Union address into a major disaster. Now two polls in one week have put him behind Steve Forbes in New Hampshire, though within the margin of error.

Steve Forbes, instigator and beneficiary of Dole's travails, has done what nobody had believed possible: bring excitement to the race. It's an unlikely role for him. He is a right-wing policy wonk's dream: he has read the think tanks' position papers, and his platform is a collection of them. When a child asks him about health care, he patiently walks the audience through medical savings accounts, Medigap insurance, Medicare Part A. He still plods through his speeches with that goofy grin plastered to his face. When he tries to make a joke, his delivery is as flat as his tax plan. The audience laughs. His events are packed, and people even chant, "Forbes, Forbes, Forbes!" One might assume he has wandered into a revival meeting for a supply-side cult.

Not so. Although Forbes has a quiverful of good ideas, he's not running on them. He's running as the anti-Washington candidate—as a sane Perot, more than as Kemp Lite. Before a Forbes speech, I overheard one supporter complain about politicians: "They all say one thing and do another. How many times have we been promised something?" Forbes draws support from young people, independents, blue-collar workers—"people you've never heard from before," in the words of Charlie Arlinghaus, executive director of the state GOP. Asked why they like him, supporters don't talk about the flat tax; they use words like "honest," "sincere," "genuine."

So Forbes's rivals may be miscalculating if they aim to take down the man by taking down the plan. New Hampshire polls show support for the flat tax falling even as support for Forbes rises. Nor do attacks on his inherited wealth appear to be resonating beyond the punditocracy. But Forbes may be miscalculating, too. The anti-Washington message, even coated with a thin veneer of policy radicalism, is pretty vacuous, treating Dick Armey as a nefarious insider right along with Bill Clinton. It appeals to people who don't want to bother to learn about current affairs—people who aren't likely to turn out for elections.

That's certainly what the boys in the back of the pack are hoping. Their spin is that Forbes doesn't have the organization to translate poll numbers into votes. By bringing Dole down, he has created a wide-open race. Having wielded the sword, he won't wear the crown. Who will? It depends on which campaign is doing the spinning.

It's true that a lot of voters haven't focused on the race yet. Jim Courtovich, who manages Gramm's New Hampshire campaign, says the undecideds "are on Forbes's bus. . . but their seat belts aren't on." In fact, the race is in such flux, there's even a breakout scenario for the hitherto-hapless Alexander. He has positioned himself as everybody's second choice, say his spokesmen, and he has low negatives. That spin strikes most observers as too cute. No campaign is spoken of more contemptuously by its rivals. "If we didn't take a position on any issue, we'd have the same negatives," says Courtovich. Joe McQuaid, editor of the Buchananite *Manchester Union Leader*, scoffs, "They've got no negatives and no positives. They've got nothing."

THE ALEXANDER campaign is indeed a passionless affair. Asked what his basic message will be, his spokesmen offer: outsider; personal responsibility; A-B-C (Alexander Beats Clinton). These themes may

Mr. Ponnuru is NR*'s national reporter.*

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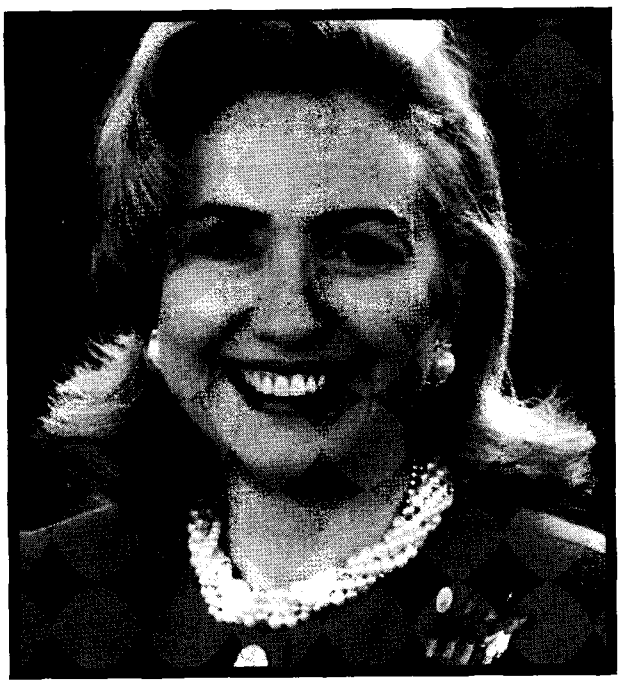
*"There's no such thing as other people's children."**

– Hillary Rodham Clinton



The first lady wants you to believe "it takes a village to raise a child." Gary Bauer wants you to know why the village can't replace Moms & Dads.

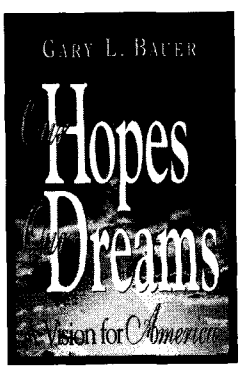
Mrs. Clinton actually believes *"there's no such thing as other peoples' children."* That's why her new book lays out ambitious plans for "the village" to raise America's children. She is determined to implement these and other plans through the power of the Federal government - radical plans that can only separate children from their parents:

✖ *"Children's Rights" to choose their own medical treatment, education, and entertainment, even without parental consent.*

✖ *Abortion-on-demand for minors through taxpayer-funded health care.*

✖ *Explicit sex education materials for all elementary school children.*

But Gary Bauer's book *Our Hopes, Our Dreams* is a pro-family alternative to the first lady's far-reaching plans. *Our Hopes, Our Dreams* is a positive vision for America's children. It's based on self-reliant families who don't need the counterfeit authority of the global "village," *or* the approval of government bureaucrats, to make the vital decisions in their lives.



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be, respectively, dubious, banal in a Republican primary, and highly speculative; but whatever their merits, Alexander needs more focus. In addition, his ads are weak. In one of them, he comes out for good schools. There's something smarmy about his manner; he looks as if he could lick the camera at any moment.

No politician offers a vision of America that is in starker contrast to Forbes's than Buchanan. Yet they're competing for some of the same disaffected voters, who might be called secular angry white males. Following Buchanan around one morning, I was struck by the extent to which the social issues with which he used to be identified—abortion, quotas—have dropped out of his stump speech. The cultural issues he now addresses—the Smithsonian exhibit, the proposed national history standards—tend to be historical, intertwined with his America First theme, and they tend to be populist hot-buttons. He hits them one after another, with nary a pause in between. The New World Order functions for him the way the flat tax often does for Forbes or the family for Alan Keyes: he's always circling back to it. At a Rotary Club someone asked him about right-wing extremists; in less than a minute, he was denouncing the troop deployment in Bosnia. The world is too much with him.

In person his easy manner helps him overcome his public image. The high-school kids he greeted at the statehouse seemed enthusiastic about meeting him (or perhaps about not being in school). Chris Tremblay, Buchanan's state deputy campaign manager in 1992, says: "Wherever he goes, at any time of day or night, there are people waiting to hear from him. He's really a conservative hero to many people." But his support has a natural ceiling, and he lacks the cash and the national organization to capitalize on a strong showing here. His maximum role in the race is to destroy the candidacies politically closest to him.

Dole's people are a little dazed. They expected the race to tighten, but Forbes's surge surprised them as it did everyone else. They're hoping he's "a flash in the pan," in Dole's words. One state legislator supporting Dole says that Forbes "is the man of the hour, but his hour's almost up." Some even argue that Dole's fall in the polls helps him: in the media hall of mirrors, it has lowered expectations of a big win. Maybe. But the theory works only if he arrests his decline, and his support is so shallow that he may not. If he doesn't win convincingly in Iowa, he'll be in real trouble. If he loses both Iowa and New Hampshire, which is within the realm of possibility, his campaign is over.

About the race, two things can be said with confidence. First, that the rules of the political game have changed. It may no longer be the case that a candidate has to win New Hampshire to win the nomination—nothing else this season has gone according to plan. There's even some serious, if premature, talk of a brokered convention. And second, that the only thing Dole has going for him is that he's the front-runner. Barely. □

Leaving the High Ground

NIK GOWING

Luba Kolomyseva

GOLAN HEIGHTS

A SCRAP of notepaper flutters in the chill breeze. Five small pebbles—the Jewish symbol of mourning—secure it to the polished top of the tomb of Theodore Herzl, the Viennese playwright and journalist who founded the Zionist movement and dreamed of a Jewish state. "The state you envisioned has lost a screw," says the pained Hebrew scrawl.

Across Israeli-held territory the loss of self-confidence is stark and the scale of soul-searching is seismic. The sacred issue is no longer land, but the soul of Israel.

Drive through Galilee up onto the windswept volcanic plateau of the Golan Heights and you find a new acceptance that Israel will soon hand back to Syria the strategic, water-rich hills it fought two wars to secure. This was not the mood before Yitzhak Rabin's death. It is now.

The understandable obsession with territory is now seen as secondary to Israel's overall security, in terms of a comprehensive "warm" peace settlement and normalized relations with Syria. It will be a level of coexistence never before contemplated by the highly motivated settlers who—with financial and emotional backing from successive Israeli governments—put down their roots and myrtle bushes on the Golan's black rock. Pioneers from the Diaspora in New York City or Newcastle committed their lives and spirits to occupying land with a Jewish history. They now realize that their crusade is probably over, at least for the time being.

Yuval Sherlock, a young rabbi and reserve major described as "brilliant" and a "future leader," teaches in the yeshiva at Chispin. He has long been a passionate spiritual leader for the Golan settlers. Sitting in a modestly furnished single-story home, surrounded by books of Jewish law, his mood is very different from what it was a few months ago.

"Before Rabin's murder, I would have said that people would fight to stay here. But now? It is important to do things for the State of Israel. If the State of Israel says that we will go from here, then we will go."

Yuval is echoed by Ilit Eitam, a formidable figure who has devoted her adult life to the principle of settling Golan. Her parents came from Europe with nothing after the Holocaust. The mother of eight children and married to an army officer, she lives in Nov and is a leading spirit in the Golan Residents Committee. Suddenly years of radicalism have moderated. "Golan is a symbol of the spiritual crisis," she sighed. "What is the meaning of all this Zionism? To build this country? We do not feel we are fighting for our private home. It is what is good for the State of Israel."

The change is remarkable. The talk on

Mr. Gowing is a leading TV anchor and foreign-policy analyst based in London.

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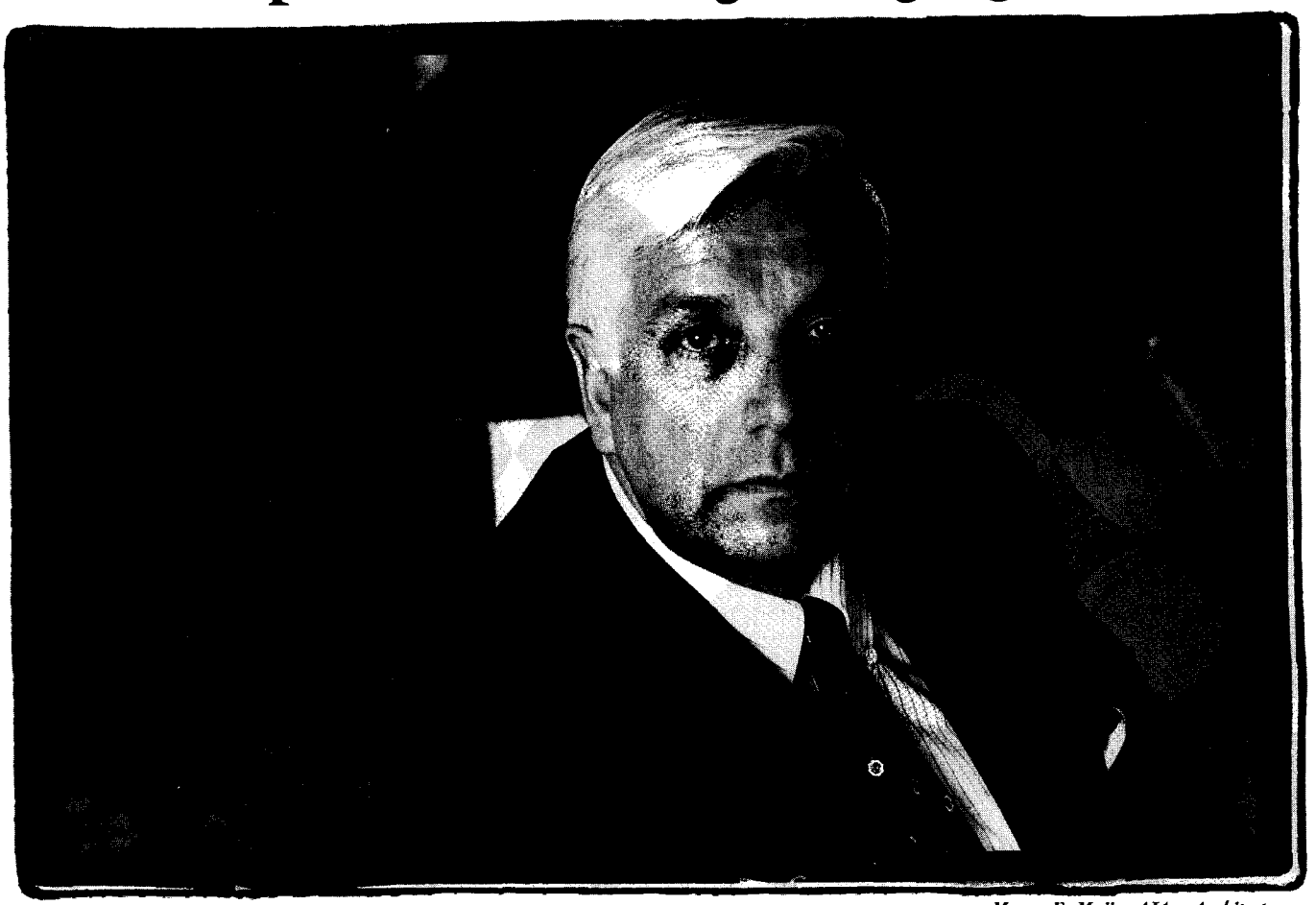
"Should Our Government Operate In A Foreign Language?"



Mauro E. Mujica AIA - Architect
Chairman/CEO, U.S.English
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"Well there's no law to stop it. In fact, over 300 languages are spoken in this country today. But that doesn't mean our government should be doing the same. Yet in many ways it does. We have multilingual ballots. U.S. citizenship ceremonies in foreign languages. Drivers' license tests in dozens of languages. Bilingual education programs that teach children in foreign languages and fail to teach children English language proficiency.

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the Golan, which a few months ago would have been about the likely levels of government incentives and financial compensation, is now as much about how it will feel to drive to Damascus and the kind of new economic hinterland Syria will offer. What do normal relations with an enemy mean? Can there really be mutual trust? There is with Egypt and Jordan.

In Jerusalem and Tel Aviv academic analysts and government officials still calculate the likely intrigues and byzantine tactics of Syrian President Assad. They could yet override the wily determination and cautious optimism of Israeli Prime Minister Shimon Peres. Yet despite the passion and despair of some Golan settlers, a new Israeli public mood is in place.

The kibbutz of Mevo Hamma sits on the escarpment that marks the Golan's western edge overlooking the Sea of Galilee. It is one of the most strategic (as well as breathtaking) views in the world. From a rocky knoll outside the kibbutz refectory you can look down hundreds of feet to trace the line where Syrian soldiers manned trenches, and—just beyond—where Syrian fishermen hauled in their catches. Galilee and the Israeli lake resort of Tiberias lie some six miles away through the mist.

For obvious military reasons Syria is determined to reoccupy the escarpment to the June 1967 border. For equally obvious strategic reasons the likelihood of Syrian gun barrels and armed border troops looking down on Galilee from Mevo Hamma terrifies Israelis.

With a neat symmetry, that probability now seems to chime with the dimming of the kibbutz dream. The new generation being brought up in the kibbutzim are nothing like as devoted as their pioneering parents who first came here to build the community from nothing.

Lynn Michaelson is now 40 and training to be a nurse. She first arrived from the U.S. in the hippie mood of a carefree teenager with a first baby. "It was a great place to raise kids if you had no job or money." Now the pioneering zeal has evaporated and the Middle East is a different place. "The kibbutz movement is what Israel was about. The need was to settle people in sensitive and dangerous border areas; to instill what defending people, families, children, and land was all about. That does not exist any more."

Over a lunch of stuffed eggplant, half a dozen heads of families poured out not only their continued convictions but also their growing doubts. Gary Black came from Manchester, England, and married his then-English girlfriend, Elaine. Their commitment to the settlement had been a commitment for life. But now? "If we want to have peace with Syria, we have to leave all settlements. I had no problem giving back settlements in Sinai or the West Bank, and I can't take a different view just because we live here."

The long-term security fears of both Syria and Israel may yet prove a stumbling block. Israel wants to retain the giant listening posts on the various Israeli-occupied volcanic peaks like Har Avital and Mount Hermon. "They are our eyes and ears in Damascus," confirmed a senior security source.

One proposal is for U.S. or even German troops to man the stations as part of confidence-building measures. "But can we trust America to serve our security needs?" confided another security source. AWACS early-warning aircraft flown by Israel are another way of ensuring that no military movement inside Syria goes undetected.

The predictable voices of fear that Israel will sell out its hard-won defensive strength are not satisfied, of course. But the outcome now seems inevitable. "There is going to be peace. It is just a matter of time," says Moshe Maoz, an expert on Syria and director of the Hebrew University's Trueman Institute.

Yuval Sherlock has decided his own departure strategy. "The soldiers will have to come and get me out of here. I will not lift a finger to withdraw, but I will not use any kind of violence. They will chase me. I have other missions in Israel. It will not break my life." □

Brown Out

HAROLD JOHNSON

SACRAMENTO

IF YOU'RE in the market for a used luxury car, you might want to get in touch with Curt Pringle, the 36-year-old "hard-core Reaganite," as he calls himself, who was elected speaker of the California State Assembly last month as the GOP took control of that chamber for the first time in a quarter of a century. Pringle steps into the job that was held for 15 years by the flamboyantly liberal Willie Brown, who has found refuge by getting himself elected mayor of San Francisco.

One of the new speaker's first acts was to hang photos of Ronald Reagan in Brown's old offices.

Pringle went on to announce that some of the shiniest baubles of Brown's imperial speakership—his three Cadillacs, with their leather seats and built-in CD players—would go on the auction block. The proceeds will be applied to an independent audit to unravel how Brown and his minions had been spending the Assembly's $78-billion operating budget during their long season of power.

In short, a new day has dawned in the capital city of America's largest state: conservatives have captured what had become one of the most formidable redoubts, anywhere, of the political Left. And they vow to make their victory mean something not just for California, but for the nation as a whole.

A scandal dubbed "Garbagegate" is helping them in the task of exposing and discrediting the Old Regime. On the morning Pringle was being voted into the speakership, the hum of shredders was coming from Democratic offices. A city trash truck appeared at the legislative office building, apparently summoned by someone inside.

It wasn't long before Democratic staffers were toting piles of papers to the truck. This scene naturally piqued the curiosity of Republicans, who alerted Attorney General Dan Lungren. Six aides were dispatched from his office, and the truck and its contents were eventually impounded.

An investigation is still under way, but documents that Republicans on the scene were able to pick up—memos to phone-bank supervisors in Willie Brown's mayoral campaign, for instance—fuel suspicions that a Democratic campaign machine had long been operating out of the legislature, at taxpayer expense, in brazen violation of the law.

"Willie Brown has good reason to be worried as Lungren's people sift through this stuff," says GOP Assemblyman

Mr. Johnson is an editorial writer for the Orange County Register.

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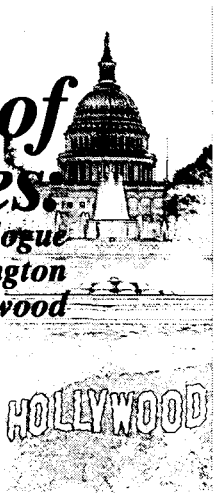

at

Paramount Studios, Hollywood
with Dinner Keynote Speaker
Bill Bennett
(partial confirmed speakers list)

Washington Reps:

Rep. Sonny Bono, *House Hollywood Task Force*
Rep. David Dreier, *House Leadership*
Rep. Jack Fields, *Chairman*
Telecommunications Sub-Committee
Frank Luntz, *Contract with America* Pollster

Commentators:

Pete du Pont, *National Review Institute*
David Horowitz, *Author and President, C.S.P.C.*
John O'Sullivan, *National Review*
Peter Collier, *Author and Editor,* Heterodoxy
Brent Bozell, *Parent's Television Council*
Susan Estrich, *Radio Talk Show Host*
Kate O'Beirne, *Washington Editor,* NR

Hollywood Reps:

Lionel Chetwynd, *Kissinger and Nixon*
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Larry Bowler, a former Sacramento deputy sheriff.

Others doubt that Brown would have permitted any traceable link to himself, however much some of his former employees might be implicated. He's too much the master tactician to be brought down with the hired help, goes this line.

For a tutorial in Brown's manipulative skills, consider how he was able to prolong his czardom even after the November 1994 elections gave Republicans a one-vote majority in the 80-member Assembly. The man whom Bill Clinton has called "the real slick Willie" began by illegally removing Republican Dick Mountjoy from the Assembly. (Mountjoy had been elected to the State Senate but hadn't yet assumed that office, so he was still legally entitled to sit in the lower house and vote in the speakership election when Brown had him ousted.)

Next, under Brown's choreography, Republican Paul Horcher, who has long worn his opportunism on his sleeve, cast the deciding vote to give Brown's speakership a reprieve. Several months later, when angry voters in Horcher's district recalled him, Brown surrendered his post—but not his power—to another faithless Republican, Doris Allen. Democrats made her speaker, but Willie stood behind the throne.

She, too, soon found herself the target of an eventually successful recall, and a third wayward Republican, Brian Setencich, was recruited to join hands with the Democrats, who gratefully made him speaker.

The reign of Setencich—and the Democrats' grasp on power—came to an end after the New Year. Brown had left for the City by the Bay; Republicans at last could be confident of a majority because two party stalwarts had replaced Paul Horcher and Doris Allen. They enacted rules that gave them control of the chamber and installed Speaker Pringle, a small-businessman from Orange County whose Eagle Scout appearance and manner make him the stylistic opposite of Willie Brown.

The GOP triumph, however belated, carries national implications. Arguably Pringle is now the most important Republican in the most populous state—in some senses eclipsing the more liberal Governor Pete Wilson. The governor merely proposes; the legislature makes law. And the Assembly speakership comes with the power of appointment to hundreds of positions, including slots on major policy-setting bodies such as the California Coastal Commission.

California's status as a bellwether means that progress for the conservative agenda here can translate into new momentum for the cause across the country. GOP legislators are moving on a focused program of tort reform, tax cuts, and welfare retrenchment. The State Senate remains Democratic, but Pringle and his lieutenants claim not to be deterred. "If the Senate Democrats vote to defend frivolous lawsuits and confiscatory taxes and welfare waste, they'll be an advertisement for the Republican Party in November," says an aide to the speaker.

In losing the Assembly, the Democrats are deprived of a license to print cash. Willie Brown reveled in "juice bills"—regulatory nightmares proposed so they could be killed, or defanged, in return for tribute from the threatened

Roman Genn

businesses. This protection racket helped water the entire Democratic electoral apparatus. No wonder Bill Clinton, for whom California is must-win terrain in 1996, took a personal interest in Brown's effort to hang onto power. The White House is said to have made calls to donors during the unsuccessful campaign to save Paul Horcher from being bounced from office.

While the Democrats' fundraising falters, Republicans are buoyed by an increasingly potent alliance of donors headed by two Orange County conservatives, Howard Ahmanson, heir to the Home Savings of America fortune, and State Senate Minority Leader Rob Hurtt, a millionaire businessman from Garden Grove (the town Curt Pringle also calls home). This coalition has been working since the late Eighties to build a conservative majority by supporting selected candidates in primaries. Early on, they had to confront (and defeat) rival, comparatively liberal, slates sponsored by Governor Wilson's operatives. The Pringle speakership testifies to their ultimate success.

Today, the threat to the party's conservative identity comes less from Wilson than from Tom Campbell, the San Jose congressman with a history of flirtation with big government. Campbell is sponsoring an initiative on the March ballot to open all Republican and Democratic primaries to all registered voters. He still smarts from his loss to Bruce Herschensohn in the 1992 U.S. Senate primary, and he would make sure nothing similar happens again—by inviting Democrats to help decide the Republican lineup. GOP leaders have united against this effort to wrap the party in pale pastels.

Finally, a word about term limits. Writing in *The Weekly Standard* last fall, the usually surefooted Charles Kesler blamed the treachery of Doris Allen and Paul Horcher on the law limiting Assembly members to three terms. Politicians forced out under this rule have less incentive to act responsibly, Kesler contended.

The truth is, intrigue of the kind that unsettled the Assembly last year is not new. Brown was elected speaker in 1980 as a dissident Democrat backed by 28 Republicans (to the later regret of most of them); and in the Eighties a group of Democrats tagged "The Gang of Five" bucked their party in an ill-fated effort to pry the speaker from his post—all this before term limits ever appeared on the horizon.

What terms limits did was lay the groundwork for the GOP gains in the 1994 Assembly races by clearing some Democratic placeholders from their sinecures. The members who arrived last year, under the new term-limit dispensation, "tend to be the most gung-ho in favor of change and renewal," says political consultant Wayne Johnson. "You've got quite a few people who are saying they want to straighten out the regulatory and tax mess and then go back to real life."

The long-run effects of term limits remain a matter of speculation, but they have yielded a class of freshmen happy to see the Cadillacs, and other ornaments of public-sector arrogance, motored off the stage—a result that's hard to quarrel with, assuming you're not the mayor of San Francisco. □

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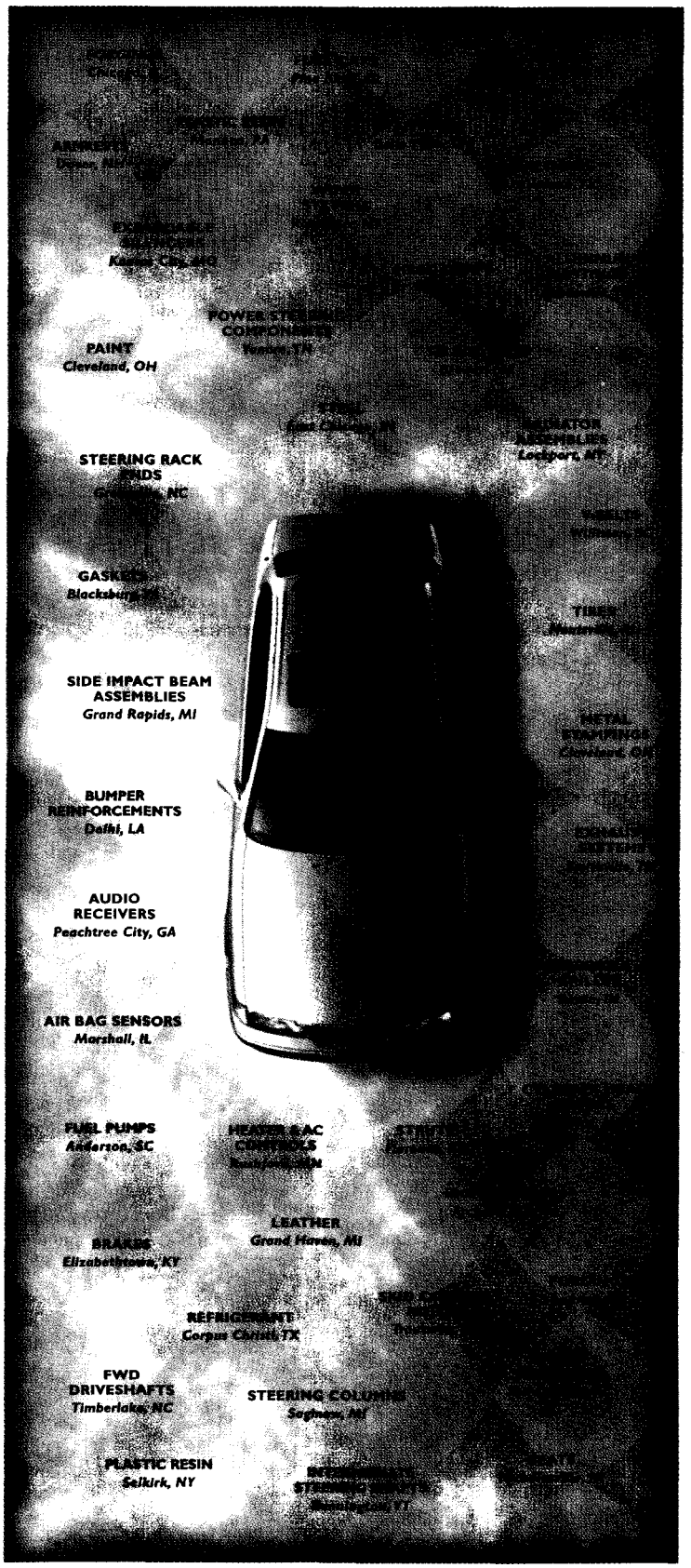

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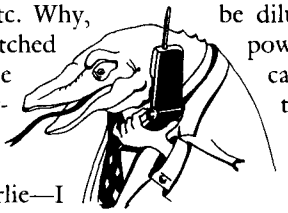
GEKKO

I KNOW Wall Streeters must seem cold and unfeeling, but even we get all sentimental at the sight of two people who have found each other, hearts beating as one, etc., etc. Why, my own eyes misted as I watched Al Gore and Russian Prime Minister Viktor Chernomyrdin on the Charlie Rose show on January 30. I was a little embarrassed for Charlie—I thought he might do better to tiptoe off the set and dim the lights, the way the power/fun couple were making googly eyes at each other. At one point Charlie asked if their obviously close relationship made a difference in how official business was conducted.



VIK: Yes, it does. Without this personal trust we could not have accomplished as much as we have.

AL: I know his word is good. He knows the same about me. We have total confidence in one another.

And yet, like an unwelcome lawyer with a prenup in hand, I think I must draw attention to another happening on the same Tuesday that Al and Vik remember through a pink fog. The price of Cameco, a Canadian uranium producer, shot up C$6 to C68½ on the news that the price of yellowcake, or unrefined uranium, had moved up from $12.20 to $12.90 a pound. "Some buyers went out looking for bids, and not all the quantities were bid on," a Cameco executive told me.

"It's pretty obvious that the bear market in uranium is over, and you're looking at physical shortages," said Julian Baldry, a uranium-industry analyst with Nesbitt Burns in Toronto.

How could that be? Hadn't Vik and Al spent many happy days hammering out an agreement to allow for the recycling of Russian nuclear weapons into reactor fuel for the U.S. market? Wouldn't that take care of a lot of the shortfall in current production? Wasn't the deal guaranteed by their mutual trust that each other's word was good?

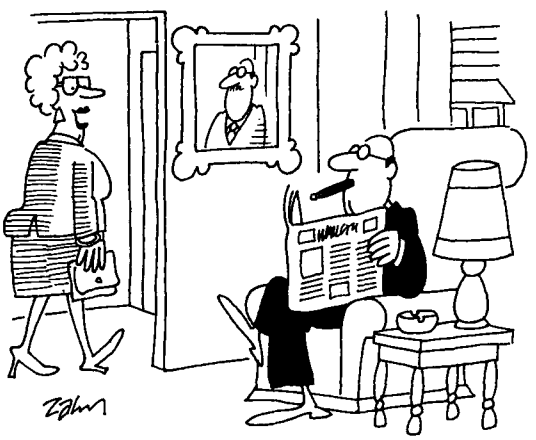
Guess not. Let me assure you that the diplomacy and nuclear chemistry get a little complicated, but both Al and Vik failed to deliver. To grossly oversimplify, Vik's bomb material has to be diluted to be usable in U.S. power reactors. When American utilities got samples of the Russian product, it turned out to be excessively contaminated with the wrong radioactive elements. The Russians have a problem with quantity as well—the chemistry sets they use to convert the bomb material don't have sufficient capacity.

For his part, Al had promised Vik and his friends that he would get anti-dumping limitations on Russian uranium imports lifted. I'm sure he seemed sincere—Al's a model for how you should look on a job interview at some ultra-straight Goldman Sachs kind of place. But his politics haven't worked any better than Vik's chemistry. The limits are still in place, and are guarded by some of the meanest lobbyists on K Street.

But when you feel the way Vik and Al do, all this must seem so . . . petty and earthbound. Al's still pushing for the IMF to go ahead with a $9-billion advance to the Russian leadership. To the Russian people, those guys look like Captain Hook and his crew, but to Al, I guess every day is Valentine's Day.

■ Now that the European bond crowd is pricing in something like a recession, the next question is how the European pols back out of their commitment to a single currency, the least inspiring cause since Mike Dukakis. I asked a Swedish bond trader of my acquaintance how he would bet his own ten kroner on a Euro-convergence blowup. "The chance is really around fifty–fifty," he said, after a typically Swedish long pause for thought. "But I would bet on monetary union because now everybody thinks it's dead and I could get better odds from my colleagues."

Okay, Lars. I'll take your ten kroner. Interesting how the track rats have abandoned the Eurocrats. I also called Alan Walters, who was Margaret Thatcher's monetary advisor and who is now the vice chairman of AIG Trading. "It would certainly improve the performance of Europe enormously if monetary union were abandoned," he said. "But how to do that? The politicians will lose too much face if they back down. There's not much democracy in Europe, really, but if they had national referenda on the issue or riots on the scale of 1968 . . ." That might be too much to hope for. But I doubt that the less popular European governments have the stomach to tighten monetary policy again in the face of attacks on their currencies by "Anglo-Saxon" hedge funds.



"I'm going down to the stock market, Winston—can I bring you anything?"

■ Financial journalism, or at least the aggressive kind, depends on leaks for much of its value added. Otherwise, you might as well fire us all and just subscribe to the PR Newswire. So those of us who try to look beyond the official version are anxiously awaiting the outcome of the *BusinessWeek*/Bankers Trust case that is on appeal in the Federal Sixth Circuit in Cincinnati. One of the issues is whether a confidentiality agreement binds only the parties involved or the rest of the world as well. In the *BusinessWeek* case, a federal judge, John Feikens, last fall held that the magazine was bound by a confidentiality agreement between Bankers Trust and Procter & Gamble. Victor Kovner, a First Amendment lawyer who is representing *BusinessWeek* in the case, is hopeful that the superannuated judge will be overruled. "There are no other similar cases which hold that confidentiality agreements bind anyone else." Let's hope the higher court agrees. —JOHN DIZARD

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NR West

Published in Conjunction with
The Claremont Institute

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Some Folks Call It Style

DAVID FRISK

SAN Francisco prides itself on being out of sync with the rest of the country, and one could almost think voters in this self-consciously offbeat city were defending their version of tradition when they elected ex-state Assembly speaker Willie Brown their new mayor in December.

In the last few years voters in Los Angeles, New York, Philadelphia, and elsewhere have installed reform-minded chief executives skeptical of entrenched urban interests. Term limits, campaign-finance reform, crackdowns on lobbyists, straight talk, and kept promises are the nationwide rage. But San Francisco bucked the trend: Brown—who played a cameo role as a corrupt politician in *The Godfather, Part III* in 1990—is the epitome of money-saturated, special-interest politics.

San Franciscans know perfectly well he's no Mr. Smith. He has represented them in the legislature for thirty years, and the *San Francisco Examiner* and some of the leftist tabloids have done a halfway credible job of reporting on Brown's ethics.

Moreover, "Da Mayor," as he's now widely called, beat incumbent Frank Jordan—a moderate Democrat who had compiled a decent record and whose personal integrity could hardly be doubted—in a near landslide. And a horde of celebrants (and the Brown-friendly *San Francisco Chronicle*, although it had endorsed Jordan) treated Brown's $1 million inauguration, mostly privately funded, as a combination Super Bowl party and return of Camelot.

SAN Franciscans have been voting for Brown as an assemblyman for almost a generation. His long-time dominance in the Assembly and his record of providing well for the city helped him raise enormous amounts of money and amass a mountain of crucial mid-level endorsements—including that of a Jordan-appointed city supervisor, which speaks volumes about the defeated incumbent's political acumen.

But equally important was Brown's style. His mesmerizing charm and self-confidence, serpentine political maneuvers, quick wit, breathtakingly expensive wardrobe, and contempt for rules, critics, and conservatives match the values—or at least the self-image—of San Francisco's better-known, lifestyle-diverse, densely populated eastern half.

Jordan could point to balanced budgets, unraised taxes, his highly effective program to keep the homeless off the streets, and his participation in keeping the Giants baseball club in town. His natural constituency inhabits the property-owning, moderate-income western side of the city, a grid of family houses that tourists only pass through. A better turnout there might at least have made election night suspenseful. But it seems the Irish-Catholic former police chief eroded his base with his remarkably stupid gambit of letting himself be photographed naked in a shower with two disc jockeys. David Binder, who conducted independent professional polling in the race, says this incident—presumably aimed to show that Jordan was as cool and free as the city he governed—tilted the campaign against him just as voters were about to look seriously at the question of integrity. "It changed the focus," Binder says, "from Willie Brown's ethical compromises to Frank Jordan's judgment."

What compromises? The *Examiner* reported Brown had received more than $700,000 in campaign donations, gifts, honoraria, and legal fees from tobacco interests in the past 11 years, and more than $800,000 in donations from gambling interests since 1987; he sided frequently with both in legislative matters. The Jordan campaign produced official spending reports showing that Brown used credit cards to bill his campaign committee—used mostly to support Democrat political races—to pay his son Michael $205,000 as an "events

(Continues on page West-4)

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WEST WORLD

■ Another King holiday has come and gone in Southern California. Many third graders were heard to wonder aloud why we celebrate the birthday of a famous motorist when a lot of sports heroes seem to be better role models.

■ The spirit of Rodney was certainly evident in Los Angeles over the King holiday. At a Southern Christian Leadership Conference celebration, which opened with a choral rendering of "Lift Every Voice and Sing," black state Sen. Diane Watson delivered a blistering attack on L.A. Mayor Richard Riordan, who was sitting behind her, having just delivered a speech of his own. Miss Watson's gripes? Riordan has not named enough blacks to his senior staff, has clashed with the city's police and transportation chiefs, both black, and above all has not denounced the anti–affirmative action California Civil Rights Initiative. (Riordan, a liberal Republican, has remained neutral on CCRI. Perhaps he has taken to heart liberal historian Arthur Schlesinger Jr.'s nutty counsel on this issue—namely that white males should disqualify themselves from deciding when to end affirmative action and should leave this decision to women and racial minorities.) In any case, the audience responded heartily to Miss Watson's diatribe with shouts of "Yes, sister." Cooler heads in the "minority community," however, worry that her timing was off. In the words of a visiting scholar at USC's Center for Multiethnic and Transnational Studies (whew!), "in a presidential election year with an incumbent running for re-election, federal money may flow" to L.A.'s inner-city with the mayor's help. But not if black leaders alienate him just now. That's urban politics in our time: "Lift Every Voice, But Not Till After the Cash Register Rings."

■ In Dallas, Texas, County Commissioner and civil-rights activist John Wiley Price was also in the King holiday spirit. Joining a demonstration outside Parkland Memorial Hospital—the demonstration was to demand increased minority hiring, promotions, and contracting—Price raised a sign that referred to Hispanic Parkland board member Jaime Ramon as a "boy" and urged him to "go back to old Mexico." Responding to outrage from Hispanics and others, Price called Ramon a "coconut," i.e., brown on the outside and white on the inside, and insisted that charges that Price is racist were absurd. Blacks "by definition cannot be racist," Price argued, since they have no power to oppress others. We wonder if Arthur Schlesinger Jr. would allow non-blacks to offer their opinion of this logic.

■ Newt Gingrich wants a computer in every lap. San Franciscans would prefer a hat on every head, not to mention designer clothing. Prior to his inauguration, Mayor-elect Willie Brown donated 8 Italian suits and an Italian tuxedo, 8 designer jackets, 18 shirts, a vest, 12 pairs of slacks, and a number of silk ties to a used-clothes sale, which numerous supporters and admirers waited in line for five hours to buy. Then there was considerable public interest regarding which of his $3,000 suits Brown would wear to the swearing-in ceremony. He finally showed up at the event—which employed no fewer than fifty choirs—bedecked not in a blue pinstripe with gold tie, as had been rumored, but in a dark suit with mustard-colored tie. ("I don't think anyone would expect less of Willie Brown," gushed one Alonzo Reed of—take a deep breath—Lesbians and Gays of African Descent for Democratic Action, who was obviously overcome by the splendor.) Brown also wore one of three fedoras he had just purchased at $450 a pop. Ruth Garland-Dewson, the seller, reports that her phone is still ringing off the wall with people interested in buying a "Willie Hat"—but adds that most callers blanch at the price. Sheryl Kajewski, another S.F. hat dealer, chortles that Brown "has brought glamour to the city." (See "Some Folks Call It Style," p. West-1.) Think what Dr. Seuss could have done with this: "The Cat in the Hat is now Mayor Tit-for-Tat. His clothes are so natty, his wallet so fat. The Cat's voters want hats, but must settle for pats, for their wallets are flatter than gnats on a rat." Or something like that.

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■ The Lincoln Bedroom was occupied for one night recently when Willie Brown, in Washington for a conference, was invited to stay over at the White House. But Mr. and Mrs. Clinton were able to return to the presidential bedroom when Mayor Brown returned to San Francisco the next day.

■ Following close on the election of California's first real GOP Assembly Speaker in 25 years (see "Moving Pictures," p. West-8), came another Assembly first: a bill actually killing an affirmative-action program has passed out of committee. Authored by Assemblyman Jan Goldsmith on the Utilities and Commerce Committee, AB 384 would pull down the curtain on the Minority Business Enterprise and Women Business Enterprise program (MBE/WBE), which set race and gender goals in the rewarding of state contracts. These programs have cost taxpayers dearly in two ways: administrative costs and the cost of accepting high bids. For instance, the California Department of Corrections spends $400,000 a year on personnel who work to achieve MBE/WBE goals, and, in achieving them, it has spent up to $1.2 million over what it would have paid for low bids. This bill will likely pass in the Assembly, but not the Senate. Of course, it and others like it won't be needed anymore if the California Civil Rights Initiative qualifies and is successful.

■ Environmentalist theory has become increasingly radical in recent decades. Now its practices are following suit. "I think of Thomas Jefferson, who says when a government is no longer representing the people, it's time to take up arms," says the head of the Northwest's Native Forest Council. Members of a group called the Environmental Rangers, who dress in khakis, pack sidearms, and go on reconnaissance missions in the Blackfoot River region in Montana, have vowed to prevent a proposed mining operation near the town of Lincoln. This mine represents the largest find of gold in Montana history—3.7 million ounces—and over twice that amount in silver. It would produce an estimated 390 jobs and untold millions in tax revenues and other economic benefits. This doesn't impress Ric Valois, head of the Environmental Rangers, who has pledged publicly to wage "a war, and I mean a real war," to prevent this mine from disturbing the river where he loves to fish. It will be interesting to see if the liberal elites—TV and movie writers and producers, for instance—treat this threat to life and liberty as seriously as they have the militant anti-government crowd. Early signs are not encouraging. Consider the *Los Angeles Times*'s coverage of the Environmental Rangers and their ilk. It explains: "Conservationists have seen traditional avenues of protest diminish. A Republican majority has closed many options on the legislative front." Now, let's see if we've got this right: the Republicans in Congress are responsible for right-wing extremism and the Republicans in Congress are responsible for left-wing extremism—which isn't really extremism, it turns out, just "conservationism," or leisure fishing along Jeffersonian lines.

■ American Indian groups, with the support of Seth Big Crow Sr., who administers the estate of nineteenth-century Sioux leader Crazy Horse, complained about a beer named "Crazy Horse" because, apparently, the old chief didn't like beer. Indeed he despised it, we are told, as he did all the customs of the devilish white man. So far at least two states—Washington and Minnesota—have caved in to these groups, banning sale of the beer. Which provokes two questions: 1) Why have these groups picked on the beer and not the other two-hundred-plus products and services around the country that are named for Crazy Horse? For instance, a famous country music dance hall bearing his name has stood unchallenged in Southern California for years, despite the fact that no one really knows whether Crazy Horse would have liked Buck Owens or the Cotton Eyed Joe any more than he did beer. 2) How loud will Indian groups holler when a Crazy Horse Casino—representing another white man's vice—opens on one of their reservations?

■ We have previously noted in these pages that he designs and wears fine Indian jewelry, but Colorado's Sen. Ben Nighthorse Campbell is no Willie Brown. Lately he has been posing for ads for a national-brand clothing maker, not in Brioni suits, but in sports clothes, not in front of a Cadillac, but on a Harley, not with the Louvre as a background, but the Jefferson Memorial. And he's passing on his profits—something that would never occur to the high-flying Mayor Brown, who prefers passing on other people's profits—to a college on a Montana reservation.

■ California is considering returning corporal punishment to public schools, but Al Gore has demanded to know how many trees would have to be destroyed to make paddles.

■ The Vice President is known for being protective of family members.

■ The monthly newsletter *Inside California* recently publicized a bill that's afoot in California's state Senate. This bill would criminalize the withholding of information by Californians about where they get their tomatoes. Defining "person" as "any individual, partnership, corporation, firm, company, or other entity doing business in California," SB 831 goes on to say: "Every person who handles tomatoes in any quantity shall keep a complete and accurate record of all transactions involving the purchase or sale of tomatoes." When this bill passes, Californians will all sleep more soundly, with their accurately accounted-for tomatoes tucked safely under their mattresses.

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FRISK
(Continued from page West-1)

coordinator," to settle over $150,000 in hotel and restaurant bills, and to purchase two tuxedos totaling over $5,000, all between 1990 and 1994. And Brown, who talked tough about crack during the campaign, represented various drug dealers over the years as a defense attorney. But again, for various reasons, the theme of ethics had little effect on Brown's negatives in the citywide polls.

SO WHAT can be expected from Da Mayor? Optimistically, one might think his ties to both business and liberal interests, his deal-making prowess, his ruthlessness, his charisma, and his brains make him the one man who can bend the various tax-eating constituencies to his will in the service of some vision of civic good.

If Brown's previous career raises doubts enough to quash that faint hope, there's also a lingering question as to whether he even wanted his new job. Faced with term limits on state legislators that take effect this November, he had two choices if he was to remain in politics: run for an open state Senate seat and become a junior member in a body of forty, or try for mayor and at least remain in charge of something. Looked at in this way, the choice must have been easy.

Critics said Brown didn't really want to be mayor and was only running because of his pending unemployment. This speculation was fueled in part by Brown's own public griping, before he entered the race, about the inadequacy of the mayor's $139,000 salary. While only he knows his true motive in running, the contrast between his old and new positions provides a clue to the difficulties he'll face.

As Assembly speaker over the past 14½ years, Brown had his hands on the strings regulating the economy of the nation's largest state. As mayor, he'll be the one begging—however stylishly—for money and favors. And if Republicans keep control of the Assembly and Congress, Brown will be holding out the tin cup to people who have the best of reasons to spurn him: his role in a rather extreme (in the sense of anti-Republican) post-1980 gerrymander, his running of the Assembly like a one-party dictatorship (GOP members and auditors are still uncertain how the Assembly's budget was spent), and recent brutal tactics such as the expulsion of a Republican assemblyman that allowed Brown to keep the speakership after the election of a GOP majority in 1994.

San Francisco GOP chairman Arthur Bruzzone predicts that Brown's coalition will weaken well before his first term is up, as federal and state cutbacks hit the city and spark competition for what's left among the coalition's constituent groups. Bruzzone ticks off a long list: labor, minorities, business leaders, welfare advocates, gays, environmentalists, and "progressives" who want, e.g., to municipalize the power company. With so many divergent groups, Brown "can't help alienating one or two of them because of the budget squeeze."

Bruzzone also thinks Brown's personality could haunt him. "He's such a total control person that he can't afford a flesh wound. If he shows any vulnerability at any point . . . he would lose that veneer and aura of complete control."

Brown has already named one new supervisor to replace the newly elected district attorney, and will probably get to appoint a second when another supervisor wins his old Assembly seat. He will also benefit from a new city charter, giving the mayor more power, including significant clout in writing departmental budgets and shifting duties among departments.

But the city is hard to govern. One example: the Muni transit system, plagued by deficits and breakdowns, and burdened with generous work rules and driver pay. This irks the business community and a cross-section of San Franciscans, who approved a measure sponsored by the city GOP that requires a comprehensive audit of Muni this year. Brown said in the campaign that he'd fix the system. But his ground troops were thick with Muni drivers, whose troublesome salary and benefits package is protected by the city charter.

BROWN must also decide whether to keep enforcing some semblance of the Jordan-instituted program to clear and keep the homeless off the streets—a program Brown attacked during the campaign.

As far as getting the work done, Brown complained two days after his inauguration that a salary cap limiting his aides to $97,000 a year made it hard for him to find quality help. More recently, he appointed Southern Californian Paul Horcher—the former Republican assemblyman who defected from his party and helped Brown retain power following the 1994 election—to a $70,000 per year job as a liaison to the Board of Supervisors. Noting Horcher's total unfamiliarity with San Francisco, the *Examiner* editorialized that the mayor might as well of handed Horcher the money in a brown paper bag.

A week into his administration, Brown suggested that gang kids—some of whom had already been used as plainclothes security for his inaugural bash—could patrol a high-crime bus line. The same week he defended his newly named police chief, Fred Lau—who called himself an "alumnus" of San Francisco State University, even though he was short of graduating—with typical Brown bravado. Speaking in a church, of all places, he proclaimed: "I don't know anyone who doesn't lie on their résumé."

With such talk, Da Mayor reveals a world view that is out of fashion elsewhere in the country. Whether even "sophisticated" San Francisco can lose patience with it is a question that bears watching in the next four years. □

Punch—Rothco

"Miss Smith, buy the rights to the Bible and get that part changed about the rich man and the eye of the needle."

Mr. Frisk is a reporter for the Ledger Dispatch *in Antioch, California.*

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Power Outage

ED MOATS

AN IMPECUNIOUS college student when the "energy crisis" befell in the late 1970s, I felt the crunch when the price of a gallon of gas hit a dollar. Apparently Congress did too, as it promptly enlarged its "multiple use" policy for public lands. Among other things, this involved new incentives for the creation of hydroelectric facilities to help reduce the nation's dependency on imported oil. The Federal Energy Regulatory Commission (FERC) was authorized to issue licenses for hydropower projects on public lands, including national forests. In creating these incentives, however, Congress failed to erect safeguards against the acolytes of Gaea, the earth goddess, who look with disfavor on human works.

In 1980, Bill Devine of Maple Falls, Washington, read an urgent report by the U.S. Comptroller General, calling for the development of small hydropower projects to increase America's renewable energy resources. In response, Devine formed Rainsong Company, a sole proprietorship, and the next year he applied to FERC for a license to build a small hydropower project on Lena Creek in the Olympic National Forest.

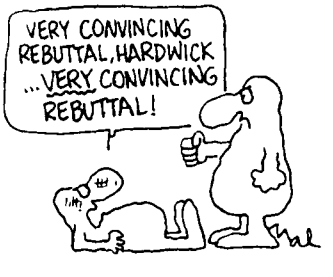
Lena Creek flows from Lena Lake, located 42 miles north-northwest of Olympia. Rainsong's plan called for partial diversion of the creek's water—using a diversion weir—through a pipeline to a powerhouse and then back to the creek. Construction would proceed via the Swiss skyline technique—a cable system suspended on trees, operated by a portable winch. It would involve no roads and no heavy equipment. In all, only 30 trees would be removed. Concrete would be delivered by helicopter. The entire construction zone would use only 3 acres of forest land.

Mr. Moats is a community college teacher and freelance writer in Shelton, Washington.

Rainsong's license application led to 13 years of jumping through hoops. In the course of this period the company was required to satisfy over 25 agencies—federal, state, county, city, and tribal—which often had conflicting laws and mandates, and to perform a multitude of impact studies: water quality, fishery, minimum instream flows, geology, geomorphology, soils, erosion, sedimentation, vegetation, rare plants, endangered species, bald eagles, spotted owls, marbled murrelets, recreation, visual/aesthetic quality, historical, archeological, socio-economic, etc. Eventually the Forest Service emerged as the chief obstacle to Rainsong's application, at one point suggesting that Rainsong should have to build recreational facilities and provide free electrical power as conditions for approval.

It was not a good sign for Devine, then, when FERC permitted Forest Service agents to join the team that prepared the critically important Environmental Assessment of his proposed project. Nor was he happy that this Assessment was kept secret from Rainsong over the two-month period between its completion and the final issuance of FERC's denial of Rainsong's license—preventing Rainsong from challenging the Assessment's conclusions.

The reasons given for FERC's denial were purely aesthetic. The Environmental Assessment had stated that the hydropower project structures would be perceivable by users of Lena Creek Campground and Lena Creek Trail. For this reason alone the license was denied.



Rainsong was confounded. For one thing, Devine says he was expressly told by the Forest Service's "forest landscape architect," during an on-site visit in July 1992, that his project would have no significant or objectionable "visual impact." Yet this same agent, Ken Eldridge, would deal the fatal blow to the project in the Assessment. And he was right the first time. Any claim that hikers would see the project is a whopper: The site is at the densest core of the Pacific rain forest. Under the forest canopy is a moss-covered jungle. Bushwhacking is formidable, visibility seriously limited.

More important, however, is the phenomenon of one or more administrative agencies subverting congressional intent, with the side effect of misleading and wasting the time and money of good citizens. Observes Devine: "Not a single project licensed in the past, nor any future proposed project, could be licensed under the [de facto] standard imposed by FERC on Rainsong"—to wit, that an energy facility must be invisible.

RAINSONG promptly requested rehearing on the license, on the grounds of the dispute regarding visual impact. One would think, given the length of time already expended on this application and confronted with a raw question of fact, that FERC would convene a hearing. Rather it replied curtly: "We rely on the findings of staff who prepared the EA."

Review now rests with the U.S. Ninth Circuit Court of Appeals. Superficially small potatoes, *Rainsong* v. *FERC* raises larger questions. First, on a "metaphysical" level, where does man stand in relation to nature? As a respectful caretaker, as has been thought in the past? Or as a nuisance and an enemy? One is reminded here of opposition to the 1991 Gulf War by certain environmental groups—oblivious to any moral, political, or human costs at stake—on the basis of the potential danger it posed to "the desert landscape."

Second, on a political level, who rules in the U.S.—whether regarding "multiple use" of public lands or anything else? The people's representatives in Congress? Or bureaucrats who worship Gaea and other new-age divinities?

Until such questions are decided on the side of common sense and democracy, the revolution is future tense. □

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POINT/COUNTERPOINT

The Framers and CCRI

Initiative Flawed

IT is not too late to subject the California Civil Rights Initiative (CCRI) to some Madisonian scrutiny. Indeed, perhaps its supporters' recent difficulty in raising money to place it on the ballot may be the result of legitimate doubt by opponents, as well as resistance by supporters of affirmative action.

Madison held that ultimate sovereignty resides in the people. It is the people's right and duty to prevent government tyranny, and to resist ideas and policies, like affirmative action, that erode our constitutional system. In contrast, CCRI would continue our subservient reliance on the judiciary to manage our lives.

In effect, CCRI extends our state bill of rights, and the problem with it is analogous to the problem that some of our Framers saw with adding a Bill of Rights to the Constitution. As Alexander Hamilton explained, bills of rights have historically been "stipulations between kings and their subjects . . . reservations of rights not surrendered to the prince." As such, "they have no applications to constitutions. . . . [Under a constitution] the people surrender nothing; and as they retain everything they have no need of particular reservations."

Hamilton added, "WE THE PEOPLE is a better recognition of popular rights than volumes of those aphorisms which would make the principal figure in several of our state bills of rights. . . . I go further, and affirm that bills of rights . . . are not only unnecessary in the proposed constitution, but would even be dangerous."

Political scientist George Carey offers these remarks on Hamilton's stunning prescience: "Without rights, this is to say, the court is without the wherewithal to usurp the legislative power or to transform itself into the most powerful branch. So much, I believe, can be seen by asking what the status of the Court today would be without a bill of rights."

CCRI tells the state government it can't discriminate. But does it really turn decisions on race and sex back to the people where they belong? No. It leaves in place the federal dictates on "civil rights," which are the basis for affirmative action, and in fact reestablishes the mentality behind them.

Our only chance to approach color blindness is to repeal all language of race and color in the law, not add more. And the day we can no longer discriminate as to sex will be the day we stop being human. We should repeal the civil-rights acts.

—W. EDWARD CHYNOWETH

Mr. Chynoweth resides in Sanger, California.

Initiative Valuable

CCRI repeals all language of race in California law. It is forced to do so in a manner that does not conflict with federal law, including federal court orders. These are the requirements of the federal system, which makes federal law and the Constitution supreme.

Mr. Chynoweth is correct that the American system contemplates the sovereignty of the people—all "just powers" of government derive from the "consent of the governed." But the people are not free of all restraints. Their sovereignty is legitimate only insofar as it protects the rights and liberties of the governed. Constitutional government, with its separation of powers, checks and balances, and the rule of law, is designed to mediate between popular sovereignty and the protection of individual rights. But the Framers were not worried principally about judicial tyranny; rather what preoccupied their deliberations was the possibility of legislative tyranny supported by majority faction.

When Madison introduced the Bill of Rights in the first Congress, he remarked that courts would serve as an "impenetrable bulwark" against violations of rights by legislative usurpations. This does not mean, of course, that the judiciary is authorized to displace the legislature. But Madison envisioned an active role for courts in protecting individual liberties.

It is true that affirmative action, in large part, has been created by the courts to provide racial class remedies for putative racial class injuries. But Congress (and the California legislature) is no less culpable in creating racial set-asides for government contracts and public works projects; executive agencies, in their turn, enthusiastically took up the task of writing the rules and regulations that created the affirmative-action establishment.

Yet the Supreme Court last term made two decisions curtailing racial classifications. One declared a federal program based on racial set-asides to be unconstitutional. The other reaffirmed the right of all Americans—black and white—to be free from racial segregation, regardless of whether the segregation leads to measurable racial class injuries. These cases presage a return to the common-sense standard of a color-blind constitution.

Senator Dole and Congressman Charles Canady (R., Fl.) are cosponsors of legislation that would abolish affirmative action in federal programs. Dole (unlike Canady) has equivocated somewhat about pressing the issue. If CCRI is on the ballot in California next November, candidate Dole (or Forbes or Gramm) will have to make a solemn promise to Americans to carry legislation against affirmative action. Candidate Clinton, on the other hand, will be forced into the unpopular position of supporting racial quotas—whereas without CCRI, he will be able to equivocate (or simply lie) about his position.

We shouldn't repeal civil-rights laws; we should make them protect genuine civil rights and not allow courts, legislatures, or executive agencies to confuse the pleadings of special-interest groups with genuine civil rights. CCRI will be an important step in this direction.

—EDWARD J. ERLER

Mr. Erler is a member of the California Advisory Commission on Civil Rights.

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WEST COAST OBSERVER

Moving Pictures

THROUGHOUT the beautifully restored, historic part of the state Capitol in Sacramento, portraits of each of California's governors are displayed in the wood-paneled corridors and broad stairwells. For years, Governor Ronald Reagan's portrait was relegated to a small niche, partially obscured under a staircase. Indeed, it was so out of the way that it had been covered in glass to protect it from vandals. But on January 4, when Curt Pringle became the first Republican-elected Republican Speaker of the California Assembly in a quarter century, one of his first orders of business was to rescue his hero's portrait. It now hangs in the hallway outside the speaker's office—without the glass.

Interestingly, in saving Reagan's portrait, Pringle was following in Reagan's footsteps. When the Great Communicator moved into the White House in early 1981, one of his first actions was to dust off the long-neglected portrait of President Calvin Coolidge and hang it in the Cabinet Room.

The parallels are obvious. First, Coolidge in 1981, like Reagan now—although during his presidency he had pressed policies that produced great prosperity, and although he was beloved by the American people—was generally derided as flawed and failed by academics and the media. Second, Reagan in 1981, like Pringle now, moved the portrait of his predecessor into a prominent place to symbolize his own principles and goals. Third and most important, Coolidge's principles in the 1920s, Reagan's in the '80s, and Pringle's today are the same: individual rights and limited government.

Pringle's road to the speakership was rocky. A succession of backroom deals, engineered by former speaker Willie Brown, denied Republicans the opportunity to choose a speaker throughout last year, despite the election of a GOP majority in 1994. Nor, now that he has outmaneuvered the Democrat leadership and held 40 of 41 Republican votes to seize control of the Assembly, will Pringle's road become smooth. After all, his majority is razor thin, and the state Senate remains in Democrat hands. Still, in an important sense, controlling the Assembly and pressing legislation are of secondary importance to having solid principles. Pringle's interest in Reagan's portrait suggests he does.

Many have remarked on Brown's and Pringle's stylistic differences. The former, a San Francisco liberal who cut his political teeth in the '60s, is bombastic, dandyish, and arrogant. The latter, an Orange County conservative who entered politics in the '80s, is a relatively quiet-spoken, church-going family man. Gone, then, is the terse "Closed to the Public" sign that barred commoners from the hallway outside Brown's office. And Pringle is selling Willie's state-owned fleet of chauffeur- driven Cadillacs in exchange for a non-chauffeured Dodge Spirit.

Pringle's "populism," if you will, is a breath of fresh air after 15 years of Brown's extravagant ways. But of course liberals can be populists too. (Who doesn't recall Jimmy Carter walking to his inaugural?) Which brings us back to the real source of freshness in Sacramento: the Coolidge–Reagan–Pringle philosophy.

Coolidge was a Lincolnian who opposed the "progressive movement" of Woodrow Wilson and others. Wilson rejected the principles of individual rights and limited government, which were based on what he called the Founders' "Newtonian" view of government. This view had been supplanted, Wilson held, by a "Darwinian" view, whereby government could and should do more than protect citizens' rights. Based on such thinking—especially since 1965—huge bureaucracies have been constructed in American government, staffed by professionally trained civil servants. The goals of these bureaucracies were ambitious—to provide cradle to grave security, to end poverty and racism, etc. And in order to accomplish these goals the government became more and more powerful and intrusive, regulating the economy, redistributing wealth, and, as in affirmative action, assigning rights unequally according to race.

COOLIDGE foresaw and opposed these developments. "If all men are created equal," he said on the nation's sesquicentennial, "that is final. If governments derive their just powers from the consent of the governed, that is final. No advance, no progress can be made beyond these propositions. If anyone wishes to deny their truth or their soundness, the only direction in which he can proceed is not forward, but backward toward the time when there was no equality, no rights of the individual, no rule of the people."

A half century later, Ronald Reagan had the advantage of looking back on the results of "progressive" social engineering: poverty rates had become stagnant and a permanent underclass had been created; race relations were worsening; school test scores were declining; divorce and illegitimacy rates were rising. Reagan's message—"government is not the solution to the problem; government *is* the problem"—did not mean, as it is often caricatured, that government cannot do good. Rather it was Coolidge's message, and before that the Founders': good government is limited to protecting individual rights. Given those rights, the American people can out-think and outperform the bureaucracies any day.

When Curt Pringle moved Reagan's portrait, he did something more important than selling Willie Brown's Cadillacs. As Reagan had done by moving Coolidge's portrait 15 years earlier, he reminded us of the best in our history and the best in ourselves.

—KEITH OLBERG

Mr. Olberg, who holds a PhD in Politics from the Claremont Graduate School, represents California's 34th Assembly District.

"It was a very strange divorce—the judge got custody of my wife."

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Why Are Liberal Catholics Such Cry-Babies?

Recently, liberal Episcopalian bishop Barbara Harris announced that the traditionalists in the Episcopal Church have lost their theological war with the liberals, and that traditionalists should cease and desist, and leave. She said that liberal Episcopalians should tell traditionalists: "Enough is enough, in fact it's more than enough. God go with you and peace — goodbye!" We didn't hear anyone denounce Harris for being mean-spirited, though you can be sure that if an orthodox Roman Catholic announced that Rome has spoken and the case is closed (not a novel concept!), that there's been enough disloyalty, in fact more than enough, and that it's time for certain incorrigible liberals to depart the Catholic Church in peace, there'd be furious accusations of "mean-spiritedness."

Actually, what Harris said made sense. After all, that's why so many Episcopalians, both here and abroad, have been becoming Catholic of late.

Surely what's good for the goose is good for the gander. Those disgruntled Catholics who've been campaigning to make the Catholic Church look like the Episcopal Church — with its do-your-own-thing theology, unisex priesthood, and permissive morality — have lost their war with Rome. That's why they're crying. But if they're in such "pain," as they claim, why don't they seek out greener pastures? Gads, how many more catechisms, encyclicals, disciplinary measures, and such does the Vatican have to promulgate before they see the handwriting on the wall? If the Episcopal Church doesn't quite appeal, well, there are 28,000 other Protestant denominations out there — surely, there's one made to order!

It's not only a matter of pain-relief, it's a matter of honesty. As ex-Catholic Camille Paglia said in an interview with *America* magazine, "It's very arrogant of American Catholics to say, 'Hey, we can do our own thing....' But that's *Protestantism*!...If you don't want to be a Catholic, leave the Church and stop asking for comfortable things.... Become Protestant."

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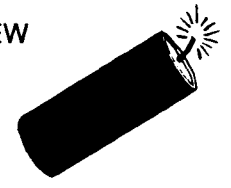

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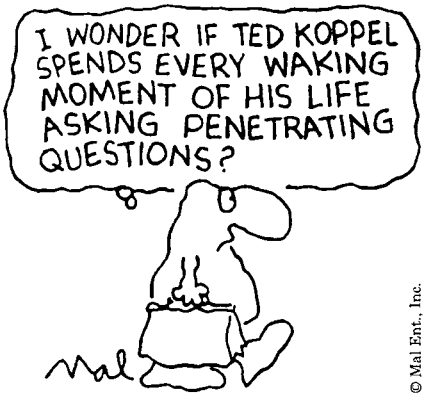

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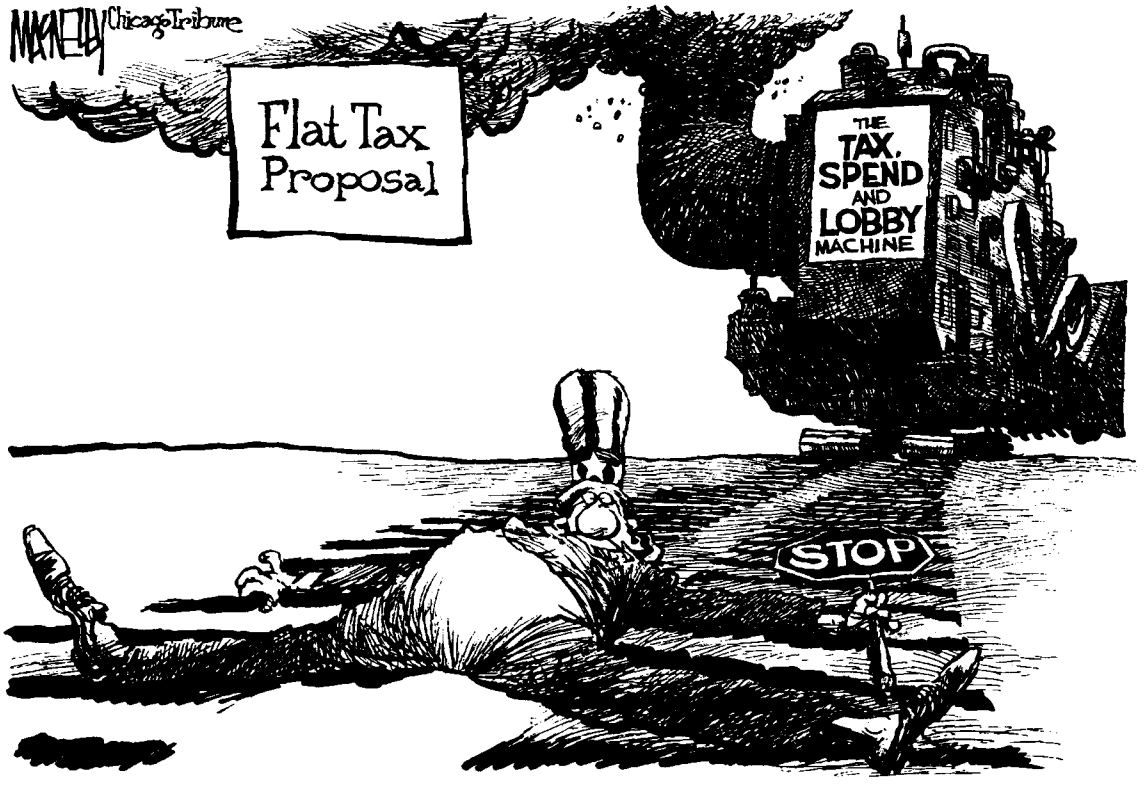

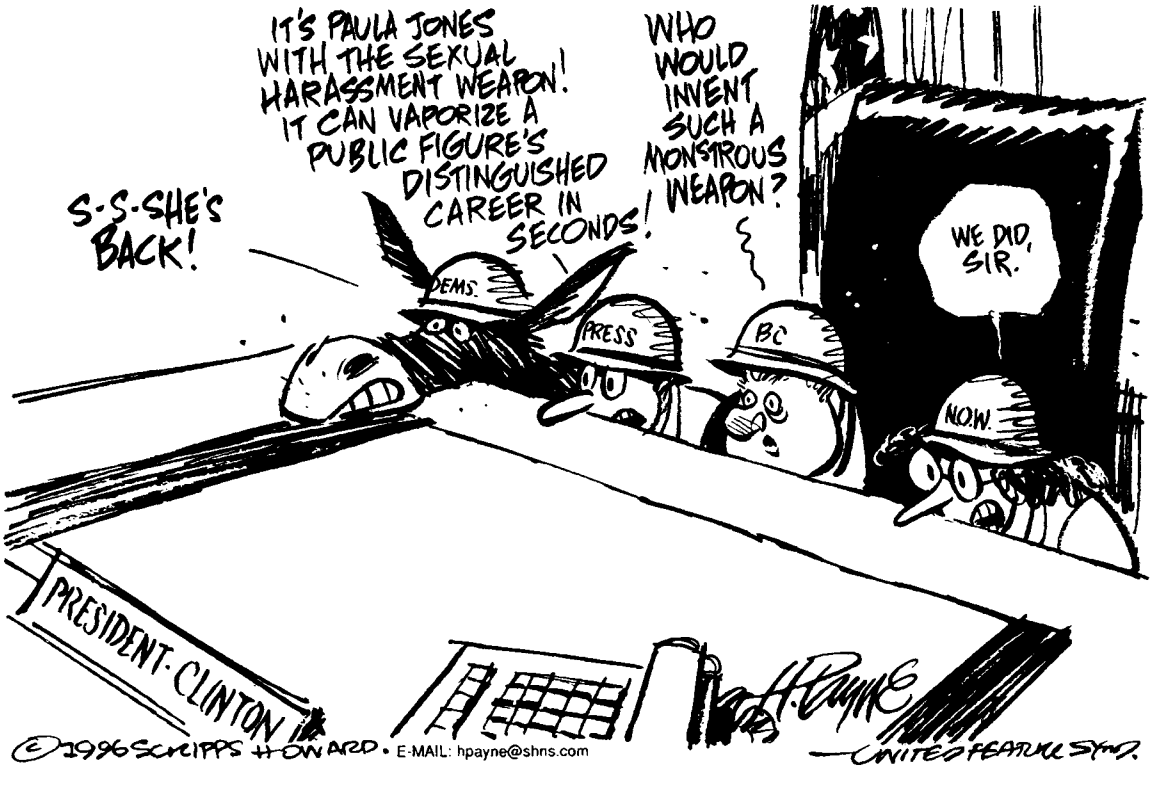

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GEORGE WASHINGTON

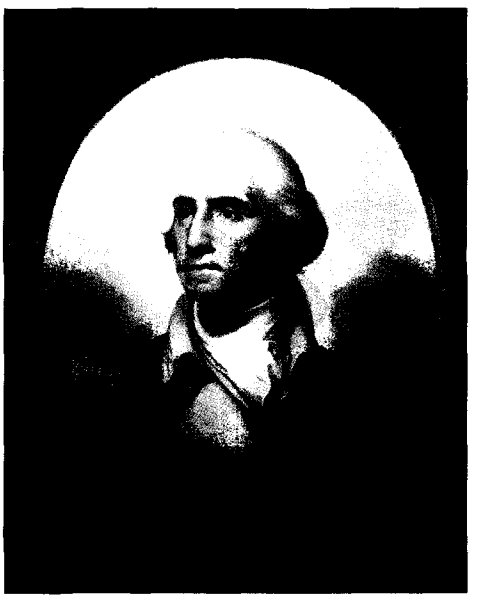
Founding Father

His own father died when he was 11, and he had no children himself. But Washington bound his fate to the destiny of his stepchildren, his soldiers, and unborn millions of Americans.

RICHARD BROOKHISER

WE speak of "founding fathers," in the plural. Yet there has been only one "father" of this country. National paternity began gravitating to George Washington six months before the Declaration of Independence, when one Levi Allen addressed him in a letter as "our political Father." The first reference to him as "Father of His country" appeared in an almanac in 1778, and since then the title has been fixed.

That title is the greatest barrier to our appreciation of him now, for never was the comparative term of the metaphor so problematic. We are not sure what the fathers of families do, much less fathers of countries. The stereotypical father of the Fifties, who worked till five, then read the paper, has been replaced by a new stereotype of dad as diaper-changer. But the increased role taken by fathers in rearing children (by those who actually take one rather than just talk about it) has been more than offset by the increased number of fathers who have disappeared through the escape hatch of divorce. Other fathers vanish pre-emptively, by not marrying the mothers of their children in the first place, while the men who take their places—stepfathers, mothers' boyfriends—are responsible for most of the beating and raping of children that goes on. Our predicaments have a biological basis. Bearing a child takes nine months of a mother's life, and through most of that time, she is in touch with what is going on inside her. She carries the weight, she feels the kicks. Once a child is born, it seems that a mother is, to some degree, wired to attend to it, however badly she may do the job. None of this applies to fathers. Conception is a spasm, an incident. The task can be as easily accomplished by a sperm bank, or a baster. Without a blood test, fathers cannot tell how many of "their" children are their own, while mothers who have not been rigidly faithful cannot tell who are the fathers of their children.



Seneca, whose book of moral essays Washington owned, was aware of the wispiness of literal fatherhood. "My father gave me the benefit of life . . . not knowing to whom . . . It is true, that without a father I could never have had a being . . . but I do not, therefore, owe my virtue . . . to my nativity. . . . The generation of me was the least part of the benefit: for, to live is common with the brutes; but, to live well is the main business." If a man does only the biological minimum required for fatherhood, then he has no role in whether his children live well, or even in whether they live at all.

Fatherhood, as any society understands it, is the result of training, and an act of will. A man who would be a father in name as well as in fact must go beyond what is merely natural. A father is a man who follows through. This is why it was particularly appropriate that Washington came to be known as the father of his country, for he was the founder, above all others, who followed through.

The old historian's parlor game, whether events make men or men make events (old because most historians long ago gave the palm to events), seldom considered the option that was always open to historical actors, which is that of doing nothing at all. If the question is, How many of Washington's public deeds were thrust upon him by circumstance?, the simplest and truest answer is that none of them were, for he could always have stayed home. If an entirely private life would have been too eccentric for a man of his station—even the retiring George Mason held public office—then he could have spent his career in the

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Mr. Brookhiser is a senior editor of NR. *This article is adapted from* Father of His Country: Rediscovering George Washington, *©1996 by Richard Brookhiser, to be published later this month by The Free Press, an imprint of Simon & Schuster.*

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planters' club of the Virginia legislature. If he went to the Continental Congress, he need not have taken committee chairmanships, or made himself available for military service. At the end of his tenure as Commander-in-Chief, he could have returned home for good, and spent the remainder of his days farming and fussing with canals. If he went to the Constitutional Convention, he could have sent the document into the world, and not himself. After one term as President, he could have stepped down. But always he did the next thing, and then the next.

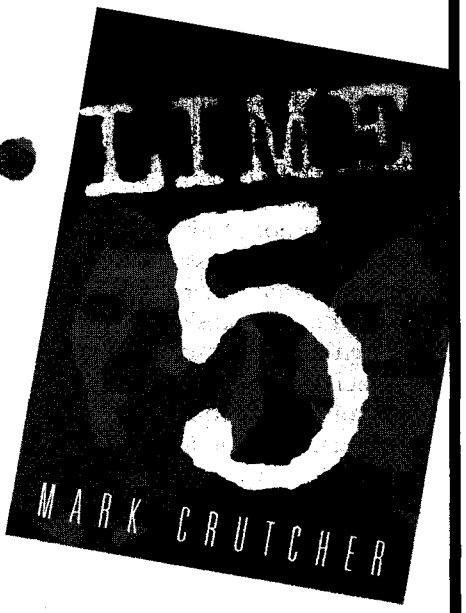
The span of his accumulated follow-throughs is remarkable. Jefferson, Jackson, Wilson, Reagan, and (we now realize) Eisenhower were strong Presidents for two terms, with varying degrees of national leadership before their first elections. Franklin Roosevelt was a leader in peace and war for 12 years. Lincoln's national career lasted only 7 years, from the Senate race against Stephen Douglas to his assassination. Washington was the most important man in America, whether he was onstage or off, for 24 years; for 17 of those years, he was front and center. It is a record unmatched in our history, scarcely matched in the histories of modern democracies.

WASHINGTON'S record as a "political Father" is all the more striking because his own father, Augustine Washington, seems to have left such a blank in his life. Augustine was 38 years old when George was born, the first child of his second marriage, and he died 11 years later. We know nothing bad about Augustine Washington as a father; we also know nothing good, except for the facts that he sent his two sons by his first marriage to England to be educated, and that he left his family a substantial estate. The many volumes of Washington's collected works yield three brief references to him, all unrevealing.

Scanning Washington's life for possible father figures, one finds a few candidates. His half-brother Lawrence, 14 years older, was a captain in the British army during a forerunner of the French and Indian War. Lawrence went off to war when George was 8; here may have begun the lifelong love of uniforms. Later there was Lawrence's father-in-law, William Fairfax, who employed George as a surveyor, and General Edward Braddock, who commanded him in the French and Indian War. But they do not seem to have been significant father substitutes; they do not bulk as large in Washington's life or his recollections as he himself loomed in the lives of his protégés.

Mary Washington, George's mother, left a more vivid impression, though it is rather grim. In her later years particularly (which lasted into her son's Presidency) she was stingy with praise and lavish with demands. During the Revolution, she encouraged a motion in the Virginia legislature to grant her a pension, which prompted Washington to send the Speaker of the House a mortified letter. "Before I left Virginia, I answered all her calls for money, and since that period, have directed my steward

MUTILATION.



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to do the same. Whence her distresses can arise, therefore, I know not . . . she has not a child that would not divide the last sixpence to relieve her." She did give her son her temper. "Of the mother," a childhood friend of George's recalled, "I was ten times more afraid than of my own parents." Mary Washington influenced her son's choice of a wife: Martha Custis, besides being cute, rich, and a shrewd businesswoman, was calm and devoted, and never gave her husband a moment's trouble.

Washington's early life is too misty to understand the family dynamics. All that stands out is the lack of positively engaging parental figures, especially paternal ones.

Washington never became a parent himself. Martha Custis was a 27-year-old widow when he married her in 1759, and she had given birth four times in her first marriage. There is no account of an illegitimate child of Washington's that is more than graffiti on the bathroom wall of history. The conclusion that he was sterile is inescapable.

The dynastic temptation was very real. The country was lucky that there was so little material for temptation to work with.

From time to time he tried to escape the conclusion nevertheless. After he had resigned his commission as Commander-in-Chief in 1783, he wrote to Congress asking if he could have the paper back, since it might "serve *my grandchildren* some fifty or a hundred years hence for a theme to ruminate upon." Both he and Martha were over fifty, and they had been married for almost a quarter of a century. If they were going to have any children, they would have had them by then. Still he ruminated.

Six years later, the subject came up again, though in a very different way. In the discarded draft of his first inaugural, a long and often personal address which Madison persuaded him not to give, Washington was prepared to acknowledge his childlessness publicly. ". . . it will be recollected," he wrote, "that the Divine Providence hath not seen fit, that my blood should be transmitted or my name perpetuated by the endearing, though sometimes seducing channel of immediate offspring. I have no child for whom I could wish to make a provision—no family to build in greatness upon my country's ruins." This lack, he argued, made him more fit to be entrusted with the Presidency. "Let then the Adversaries to this Constitution . . . point to the sinister object, or to the earthly consideration beyond the hope of rendering some little service to our parent country, that could have persuaded me to accept this appointment." Washington's wistful letter to Congress had been written at the beginning of his sixth decade; as he neared the end of it, he accepted his personal loss, and though he never gave the speech, in his own mind he transmuted the loss into a political benefit.

The dynastic temptation was very real. The country was lucky that there was so little material for temptation to work with. Of the first five Presidents, only John Adams had sons who survived to adulthood. Jefferson, Madison, and Monroe, whose Administrations covered the first quarter of the nineteenth century, were known as the "Virginia dynasty," but if the seducing channel of immediate (male) offspring had flowed from any of them, the dynasty might have extended into a second generation. How much more likely was it that this would have been the case for literal sons of Washington. None of these men would have tolerated a son becoming President by any means except election. But a gaggle of junior Washingtons, Jeffersons, Madisons, and Monroes could have crowded the political landscape intolerably. As it was, John Adams's eldest son, John Quincy Adams, became the sixth President.

Lacking descendants of his own, Washington turned to three substitutes. The first were his stepchildren and stepgrandchildren. Two of Martha's four children survived infancy: a daughter, Patsy, who was sickly and died at 17; and a son, Jack, who married and lived to be 27. Washington worried about Jack's education, writing one tutor that he wanted him "fit for more useful purposes, than a horse Racer," and he worried about his behavior when Jack was elected to the Virginia State Senate during the war: "I do not suppose that so young a Senator, as you are . . . can yet have much influence in a populous assembly. . . . But it is in your power to be punctual in your attendance." He expended the same anxious attention on Jack's son, George Washington Parke Custis. But he never considered the Custis brood his own, and they never considered him theirs. ". . . his own near relatives feared to speak or laugh before him," remembered Nelly Custis, one of Jack's daughters, ". . . not from his severity," but out of "awe and respect. . . . When he entered a room where we were all mirth and in high conversation, all were instantly mute. He would sit a short time and then retire, quite provoked and disappointed."

A second group of surrogate children was his staff during the Revolutionary War, which he called his "family." Several of these men had lost their own fathers early in life. Lafayette was 2 when his father was killed in battle. Hamilton was 10 when his father left his children and their mother (whom he had never married). These men met Washington at impressionable ages: Lafayette was 19, Hamilton 22. Washington himself was 45. His relationship with Lafayette was nearly cloudless. Lafayette's long political career in France would be marred by enthusiasm, bad judgment, and what Jefferson (who liked him) cruelly called a "canine appetite" for popularity, but when he was in America, these vices had the form of ingenuousness. A week after they met, Washington apologized for the unprofessionalism of his army. "It is not to teach but to learn that I come hither," Lafayette replied. They slept on the ground under one blanket after the battle of Monmouth. Lafayette named his eldest son Georges Washington. Washington's relationship with Hamilton was longer, and hence more complicated. Jefferson, whose father had died when he was 14, never served on Washington's staff, and had important early mentors besides his political colleague. But he too felt the tug of admiration, which envenomed his relations with Hamilton all the more. Saddest of the protégés was Edmund Randolph, who was

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forced to resign as Secretary of State under suspicion of treason during Washington's second term. He had been taken into Washington's "family" at age 22, after his Tory father left for England, only to be disgraced by his political father twenty years later.

But the most important category of substitute descendants was not the children who grew up in Washington's house, or the younger men of his staff or his Cabinet (who sometimes acted childishly enough), but the future generations of Americans. The transposition was quite conscious on Washington's part. In the spring of 1783, as peace was coming and the army was winding up its affairs, he twice used a striking phrase. In a letter to a staff officer, he hoped that the "Peace and Independency for which we have fought" would be "a blessing to Millions yet unborn," and in the Circular to the States, his farewell address as Commander-in-Chief, he warned that "our fate" was bound up with "the destiny of unborn Millions." This was a more particularized image than "the destiny of the republican form of government," which he would invoke in the version of the first inaugural address that he actually delivered—more particularized, and more personal, even though the persons were unknown, unknowable. In 1783, as his letter to Congress showed, he still imagined that the unborn millions might include descendants of his own. But even if he had been the most prolific father in the world, most of them would be the posterity of others—strangers to his blood, as well as strangers to him in time. Mentioning them was an act of adoption.

Six years later, Washington received a printed sermon, which had been delivered in 1759 by a minister in Maine. Washington got sermons all the time; when he acknowledged this one, he added that he "appro[ved] of the doctrine inculcated." The sermon commemorated the death of a Maine hero, Sir William Pepperrell, who fought in two colonial wars and was made a baronet and a general. The text was from Psalm 82, a short psalm addressed to "the mighty" of the earth, which ends by reminding them that "ye shall die like men." What, when the mighty die, should they have accomplished? The minister turned for an answer to a funeral oration quoted by Socrates. "Hereditary Honor is indeed a noble and splendid Patrimony. But to enjoy a fair Estate, either in Fame or Money, and for want of a proper Supply of Wealth and Glory of your own, not to be able to transmit it to your Posterity, is infamous and unmanly." The mighty—the Pepperrells and the Washingtons—should pass on as much honor and riches as they had inherited. But to whom? *Hereditary*, *Patrimony*, and *Posterity* are terms of blood, of literal fathers and children. General Pepperrell had a son; this part of the sermon had been addressed to him. General Washington had no sons. But he could ensure that his "Honor," the reflection of his life lived well, might be a benefit to the millions unborn, his adopted political heirs. This was a doctrine he could approve of. □

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THE IMMIGRATION DEBATE

Facts And Fancies

Too much of the immigration debate was mummified circa 1970. Herewith, an attempt at reinvigoration.

PETER BRIMELOW

JUST before Christmas—or "The Holidays," as it apparently must now be called in the brave new multicultural America produced by immigration—there occurred the Washington, D.C., equivalent of one of those processions that go around Italian towns bearing a mummified saint.

It was a press conference under the auspices of the libertarian Cato Institute's Cardinal Ed Crane. An unwary local bishop, House Majority Leader Dick Armey, pronounced his blessing. On the catafalque was Julian Simon, the University of Maryland professor of business administration who has become an icon to immigration enthusiasts left and right.

Simon is not of course literally dead (happily—he's a likable man). But *Immigration: The Demographic and Economic Facts*, his new pamphlet released at the press conference and published by Cato (with a cast of thousands—other establishment libertarian and conservative organizations such as Empower America, professional immigration enthusiasts like the American Immigration Law Foundation, radical multiculturalists like La Raza), suggests that he's leaking a lot of sawdust.

To underline the essentially religious nature of the phenomenon, the *New York Times*'s A. M. Rosenthal, in lauding Simon's booklet, threatened skeptics that opposition to immigration "endangers their immortal souls." (This is not a joke.) The ultimate target of all this energetic exorcism: mildly restrictive immigration reform, sponsored by Senator Alan Simpson and Representative Lamar Smith, scheduled to reach the full Congress imminently.

Yes, yes, religious parallels are easily overdone. But the weird fanaticism of today's immigration advocates can't be better described than in terms of the theological concept of "enthusiasm"—a focus on the emotional rather than the rational.

The religious parallel is reinforced by the spectacle of Julian Simon. The faithful still cart him around reverently in the belief that he can work miracles. But the close observer can see unmistakable signs of decay. My own theory: this remarkable polymath has privately lost interest in immigration, as the relentless accumulation of negative technical evidence means the subject can no longer be dominated by a few dazzling amateur observations.

Simon's loss of interest is now obvious from his fragmentary and often cursory argumentation in *Immigration: The Demographic and Economic Facts*. (Let's call it *IDEF*).

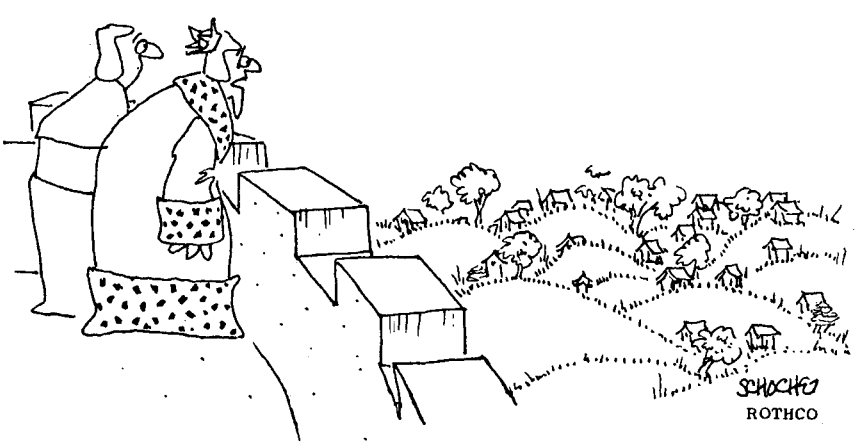
However, I first realized just how far the process had gone on June 1, 1995. On that day, I opened the *New York Times* and found a Julian Simon op-ed article urging guestworkers as a (partial) substitute for immigration. But he was uncollegial enough not to mention that I had raised the exact same proposal in my just-published book *Alien Nation*—which, I might modestly say, actually *does* present "the demographic and economic facts" about immigration.

I naturally felt an author's disgust. I had wasted an inscribed copy on Simon. Random House had even paid for his trip to New York to appear with me on PBS's *Charlie Rose*. And I was being demonized by Simon's dimmer disciples.

So I called to complain. Simon instantly said he hadn't read my book. (N.B.: Despite two public debates with me about it!). Still, he appeared genuinely delighted to learn of my interest in guestworkers. "We can construct a real coalition here," he said enthusiastically.

We chatted. Of course, I remarked, a guestworker program that admitted women—which the celebrated 1942–1964 *bracero* farmworker scheme effectively did not—would face a Fourteenth Amendment problem. How so? Simon asked. Well, I explained, the way the Constitution is currently interpreted, children born to women guestworkers in the U.S. would automatically be citizens. So, as a practical matter, their mothers would receive welfare and be impossible to deport.

"I hadn't thought of that," Simon said.



"It's a nice place to reign over, but I wouldn't want to live there."

Mr. Brimelow, an NR *senior editor, is the author of* Alien Nation.

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This struck me as odd, for an expert. But I felt good about having pointed it out—until I talked to the Center for Equal Opportunity's Linda Chavez, who has suggested guestworkers in her *USA Today* column. "I had exactly the same conversation with him," she said drily.

After this, it will come as no surprise that in the passage in *IDEF* advocating guestworkers, the Fourteenth Amendment problem is firmly ignored.

What may still be surprising is Simon's assertion that "the inverse correlation between [border] apprehensions and guestworkers" as the *bracero* program got under way "is one of the most conclusive quasi-experiments in social policy that has ever been conducted." Guestworkers, he argues, substitute for illegals.

Yet right there, in front of your eyes, *on the very chart Simon so confidently presents*, the great illegal-immigrant crisis of the early 1950s surges to its peak precisely as the *bracero* program expands. Only the Eisenhower Administration's 1954 Operation Wetback ended this crisis—proving exactly the opposite point: whatever the value of guestworkers, there is still no substitute for border enforcement and deportation.

Simon is not, surely, being dishonest here. No crook would be so blatant. We're talking *serious*—what?—wishful thinking? intellectual paralysis? creeping distaste for debate?

(Manufacturer's disclaimer: my interest in recommending guestworkers is not because I think America particularly needs imported labor, even "foreign geniuses." The 130,000 or so slots reserved for skilled immigrants have actually gone unfilled in recent years. I just think a guestworker program is the logical alternative to continued immigration. And it would cause the notoriously blind, selfish, hog-like business lobbies to snuffle off and get the hell out of the way of those of us trying to save America from balkanization.)

FEW people will struggle through Simon's *IDEF*, just as nobody except me appears to have read his major work, *The Economic Consequences of Immigration* (1989). Both are not so much books as chaotic piles of erratically annotated clippings. Tables and footnotes add a certain intimidating illusion of scholarship. But this is deceptive. Simon has not published on immigration in any of the leading economic journals for years.

Which makes doubly odd his shrill attacks in *IDEF* on Rice University's Donald Huddle. Simon complains that Huddle's empirical studies of native-worker displacement by immigrants are disseminated through "press releases and information publications" (he means via the environmental group Carrying Capacity Network) rather than through any "scholarly journal." Nevertheless, he grouses, they are "discussed extensively in the press."

Hmm. Perhaps it takes one to know one.

Paradoxically, *IDEF*'s very diffuseness is its best defense. Refuting it becomes an impossibly detailed task, quite impractical for popular journalists. They simply prefer to weigh it. (They will soon have a counterweight: the Federation for American Immigration Reform is shortly to issue a long, closely argued critique by Jack Martin.)

Nevertheless, Simon's performance in *IDEF* displays telling weaknesses.

First, *Simon's stance is reflexively defensive*. This reflects the immigration enthusiasts' intense resistance to *any* implied need for reform, mounted from behind every stick, stone, statistic, and stigma. Apparently their instinctive calculation is that if Americans start thinking about immigration at all, there's no telling what they might do.

One example: Simon is very concerned to demonstrate that immigration is not high compared to the peak years of the last Great Wave, 1900–1914. But the absolute numbers of legal immigrants are about the same—around a million a year, counting some 100,000 asylum applicants, most of whom never leave. So Simon compares immigration to the American population. Since this is three times what it was in 1910, he concludes, "The recent flow is less than a third as heavy."

No demographer would use this measure. The appropriate measure is immigration relative to native-population *growth* which, because of current low native birth-rates, is now in record territory.

But even in his own terms, Simon is wrong. Unlike in 1900, we now have *illegal* immigration. If you add a million gross legal immigrants to 2 to 3 million gross illegal immigrants annually—INS estimate, nowhere mentioned by Simon—you are easily at the peak levels, relative to the American population, of the early 1900s. (Immigration enthusiasts hate talking about gross illegal immigration, claiming it is mere commuting. But it is the ultimate measure of immi-

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gration's potential effect on health and crime, particularly in the border states—preoccupations of American policymakers back into Colonial times, now apparently to be discarded.)

The real question about record immigration levels, however, is: So what? Who cares how far the flood rose in 1910, if in the meantime a city—the welfare state—has been built on the flood plain, transforming the dynamics of immigration? Or if the immigration is harmful? Or unnecessary? Simon does not address this question. His apparent object is solely to encourage complacency about the status quo.

A second example: Simon is equally concerned to demonstrate that immigrant welfare participation is not worse than the native-born average (which, of course, is significantly above the average for native-born whites).

Simon is losing this argument—see below. Again, however, the real ques-

A Refuge of Lies

UKRAINE has been independent since 1991. Recently the Ukrainian Orthodox Church elevated to the patriarchy a priest who had sat in Soviet jails for his religious activity. So why are some congressmen anxious to extend a law granting members of the Ukrainian Orthodox Church fast-track refugee visas to the U.S.? The answer lies at the end of a labyrinthine trail through our increasingly bizarre refugee policy.

Preferred categories for refugees originally combined humanitarian concerns and foreign-policy aims. Hence the special concern for Catholics and Orthodox from Ukraine, Jews and Christian Evangelicals from the former Soviet Union, and certain Southeast Asian nationals.

However, the extent to which specific applicants are actually fleeing state persecution has gradually faded as a criterion for admission. The passage in 1989 of the Lautenberg Amendment established a presumption of persecution for individuals from the former USSR and Southeast Asia who fall into the categories mentioned above. For the last decade about 80 per cent of refugee visas have been split between these groups.

In fact, about 95 per cent of those applicants who meet the Lautenberg category qualifications and have a relative already in the U.S. are given refugee visas. But, according to Immigration and Naturalization Service documents obtained by Scripps Howard News Service, less than one-half of 1 per cent of refugees admitted under the amendment meet the standard definition of a refugee. Indeed, 37,000 who have obtained the highly coveted designation still live in the old USSR, where they retain the right to immigrate to the U.S. as "persecuted refugees" whenever they wish.

Nevertheless, under proposed legislation this protean relic of the Cold War will be expanded and fitted for new uses as "enhanced Lautenberg." According to Justice Department memos, the INS and the State Department are preparing for what could be the "expedited" admission of up to 40,000 Vietnamese in addition to the normal refugee flow from the region (32,000 Vietnamese immigrated as refugees in 1995). They are among the "boat people" who landed at various points in Southeast Asia seeking asylum during the last decade. Sixty per cent of those in Hong Kong are from what was formerly North Vietnam. Since the United Nations High Commission on Refugees has ruled that those remaining in the camps are voluntary economic migrants, not refugees, most of this group has returned voluntarily to Vietnam, where their cases are monitored by UNHCR and other human-rights observers.

However, the returns suddenly stopped when word got out that Reps. Chris Smith (R., N.J.) and Ben Gilman (R., N.Y.), were sponsoring legislation requiring the resettlement in the U.S. of certain Vietnamese nationals currently in refugee camps in Southeast Asia.

It is likely that most if not all of the 40,000 will be accepted under the Smith–Gilman bill. With family-member migration the main engine of refugee and non-refugee immigration, the initiative will have a substantial impact on future migrant flows from the region. At least 80 per cent of refugees to the U.S. are relatives of previously admitted refugees. Furthermore, individuals who are totally dependent on welfare can bring over extended family members who become entitled to all welfare benefits thirty days after their arrival.

A 1994 Health and Human Services study of refugees who arrived between 1988 and 1993 (about 600,000) found 62.2 per cent receiving food stamps and about half on Medicaid. About 40 per cent receive cash assistance through AFDC or General Assistance. Indeed, for many refugees public assistance is a permanent way of life. Twenty-three per cent of refugee households in the five-year study group live in public housing, and 28 per cent have one or more members receiving cash assistance through Supplemental Security Income, which tends to be permanent. In California, home to about 40 per cent of all Southeast Asian refugees in the U.S., more than half of those who arrived since the Seventies are still dependent upon AFDC and other welfare programs.

The cost of the refugee program, including ongoing federal, state, and local assistance after the initial resettlement period, will much more than offset the entire $60 billion in savings on welfare spending projected in the Republicans' seven-year plan.

In some cities like St. Paul, Minnesota, refugees now make up an absolute majority of public-housing occupants. In Dallas, Ron Cowart, director of a police outreach program, says "many refugee communities are crime-ridden, impoverished, drug-plagued enclaves, which are on the verge of bursting out upon the wider community." Lance Rasbridge, a director of a public-health program for Southeast Asian refugees, said many of his clients would return home if they had the money. He shocked a group of refugee advocates by suggesting that the U.S. should seriously consider a program of assistance for those who want to return home.

Our highly politicized refugee and asylum policy is mired in confusion. "Enhanced Lautenberg" could dramatically expand a program which is little more than an arbitrary group entitlement for foreigners. —Don Barnett

Mr. Barnett writes on immigration.

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tion is: Even if immigrant welfare participation is only at the native-born level, so what? Why are any immigrants on welfare at all? The immigrant-selection process is meant to weed out potential "public charges." In fact they used to be deported—until Washington quietly stopped enforcing the law in the 1960s.

The ultimate problem with Simon's defensive stance, of course: it distracts attention from the fundamental question that Americans must ask themselves about the economics of immigration. This is, not whether the immigration status quo is necessarily doing any harm —an extraordinarily low hurdle—but is it doing any good? Specifically, does immigration do something for native-born Americans that they could not do for themselves?

Simon answered this question for me in *Alien Nation*: "I've never said it's *necessary*," he said.

Not one word about this amazing concession, or about this fundamental question, appears in *IDEF*.

(Simon does hint at another fundamental issue: the influx accidentally triggered by the 1965 Immigration Act has been overwhelmingly Third World. He dismisses this as irrelevant to economic policy. Wrong again, of course. National origin correlates powerfully with economic success. First World immigrants generally outperform Third World immigrants by a factor of as much as ten. But current policy has squeezed them out.)

IDEF's second overall weakness: ***Simon remains fatally dependent on old data.*** This is an acute problem in contemporary immigration research. The 1965 Immigration Act did not take effect until 1968. It was years before the changes it wrought began to show up in Census data, and even longer before academe confirmed them.

The result, as Professor George J. Borjas, now at Harvard University's Kennedy School, argued in his seminal "Economics of Immigration" in the December 1994 *Journal of Economic Literature*: a sort of sea change in the late 1980s—a flood of new research establishing that things were going badly wrong with immigration.

Simon has simply not adjusted to this new reality. You can track this easily by checking the dates on the endless studies he so portentously cites. Thus his page on native *v.* immigrant wages: "Smith and Newman (1967) . . . Grossman (1982) . . . B. Chiswick, C. Chiswick, and Miller (1985) . . ."

Much of the time, Simon is just recycling material from his 1989 *The Economic Consequences of Immigration*. Sometimes, he does introduce new data —but from Canada! Even if correct, this would be irrelevant, since Canada's immigration policy, which gives preference to immigrants with skills and proficiency in the national languages, is much more discriminating than that of the United States.

This Canadian quirk, however, does provide a fascinating glimpse into Simon's mind. He does not seem to understand that admissions policy determines immigrant quality (negatively, in the case of the perverse 1965 Act). He thinks of all immigrants everywhere as an undifferentiated virtuous mass.

Surreptitiously, Simon has softened several of his wilder claims, such as that immigrants are always a "good investment." But his basic approach to the new research is to ignore it. Among the authorities he does not mention: the General Accounting Office on exploding immigrant welfare participation; Harvard economists Borjas, Richard Freeman, and Lawrence Katz (1992) and Bureau of Labor Statistics economist David Jaeger (1995) on displacement and wage competition; and University of California economists Edward Funkhouser and Stephen Trejo (1995) on deteriorating immigrant skill levels.

(Simon does claim to have evidence that a higher proportion of immigrants still have college degrees than the native-born. Other researchers have found this is no longer true. Close examina-

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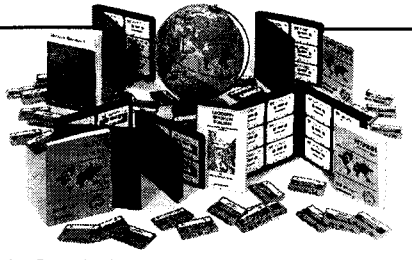

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tion reveals, however, that Simon has achieved this result by conflating pre-1970 data for immigrants over 25 on arrival with post-1970 data for all foreign-born who were above 25 on Census day—many of whom arrived as children and were thus educated courtesy of the U.S. taxpayer.)

Rather than facing this new research, Simon offers *ex cathedra* pronouncements: "It is all-important that these facts are agreed upon by all observers . . . Rest assured that there are no brand new studies [about native displacement] that contradict the older ones . . ." "There are no other data invalidating the 1975 survey [on immigrant welfare participation] . . ." "the evidence is mixed [on increasing immigrant propensity for welfare]. . ."

And, most amazingly, "The facts [*IDEF*] asserts are not contradicted by articles and books that are not cited herein."

Poor *Alien Nation*, uncited and obviously still unread! Every one of Simon's *ex cathedra* pronouncements is false.

Particularly amusing is Simon's treatment of George Borjas. He has long been in the habit of quoting Borjas's book *Friends or Strangers* (1990) to the effect that there was no evidence that immigration affects native wages. But Borjas, a true scholar, has subsequently changed his mind as the evidence emerged. I have reproached Simon about this legerdemain a couple of times—in an *NR* Institute debate last spring, in a letter published in the *New York Times* after his June 1 article. Nevertheless, in *IDEF*, Simon trots out the same old quote.

In his book *The Ultimate Resource*, Julian Simon confessed movingly, if alarmingly, that his conversion to the pro-population growth standpoint had rescued him from "prolonged depression." Forcing this man to write any more about immigration is sheer mental cruelty. Cardinal Crane should retire him to the crypt. □

We are the World?

Mikhail Gorbachev has a dream—
which would be a nightmare for the rest of us.

WALTER BERNS

ONE would never know from the list of celebrities attending the recent "State of the World Forum," sponsored by the Gorbachev Foundation U.S.A., that there was a time when the subject of a new world order was addressed by serious thinkers. (I have in mind Thomas Hobbes, the Abbé de Saint-Pierre, Jean-Jacques Rousseau, Immanuel Kant, and, in his own way, even Karl Marx.) No longer. The topics on the agenda of this San Francisco forum were serious enough—"Ecology: The New Science of the Sacred," and (presumably in an effort to gain the custom of Hillary Rodham Clinton) "The Global Crisis of Value and the Search for Meaning"—but, in addition to a handful of Third World mystics and washed-up politicians, Gorby's Bash by the Bay attracted mainly the likes of Ted Turner, Jane Fonda, John Denver, and (inevitably) Shirley MacLaine.

Gorbachev himself seems to have done most of the talking, but the moving spirit behind the Forum was Jim Garrison, the president of the Gorbachev Foundation. Formerly a theologian of the God-is-in-everything persuasion, he announced that one goal of the Forum was the drafting of an "Earth Charter," a set of environmental guidelines to be presented to the United Nations. But, as he confessed to a reporter for the *San Francisco Weekly*, the ultimate purpose was the making of a blueprint for the "next phase of human development." And he had no doubt as to what that next phase would be: "Over the next twenty to thirty years, we are going to end up with world government. It's inevitable."

He may be right. We have a global environment (and environmental movement) and, increasingly, a global economy and culture, so why not a global government? Having allied himself with Gorbachev's big-bucks sponsors, Garrison probably thinks a world government would be especially good for business, but it never occurred to him to wonder whether it would be good for the rest of us, or whether it carried a price that we can afford to pay.

Garrison never asks that question, and his predecessors in the one-world movement (Albert Einstein, Bertrand Russell, Robert M. Hutchins, the United World Federalists, and, more recently, Jonathan Schell) thought it irrelevant. Schell, author in 1982 of *The Fate of the Earth*, argued that there was no alternative to world government, save universal destruction. Unless we rid ourselves of our nuclear arsenals, he wrote, and of the sovereign states that possess them, "a holocaust not only *might* occur but *will* occur—if not today, then tomorrow, if not this year, then the next."

Schell was not the first person to conclude that a full-scale nuclear war would lead to the extinction of the human species, but he claimed to be the first person to think about the meaning of extinction. "Death is only death," he wrote, "but extinction is the death of death." Whatever that means, it is not true that death is only death. There are welcomed deaths and dreaded deaths, peaceful deaths and violent deaths, and it was the prospect of violent death that inspired Thomas Hobbes to come up with a way of life in which violent death might be avoided.

Hobbes had no illusions about having to pay a price for peace. He argued that peace is possible, but only if men, warlike by nature, enter into a contract with each

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other according to which they agree to surrender their natural rights to an absolute sovereign, the Leviathan. "For as long as every man holdeth this right, of doing anything he liketh; so long are all men in a condition of war . . . a war of every man, against every man." Under the contract men reserved the right to disobey the Leviathan when he puts their lives at risk—which, if put to the test, would be likely to prove an illusory right—but they are otherwise obliged to obey the sovereign; his commands are law and are to be enforced by the fear of punishment, if necessary, severe punishment. Fear is the passion to be relied on, Hobbes says.

WHY would men consent to such a contract? Hobbes had a ready answer. The alternative is to live in the state of warlike nature where, as he put it in a famous formulation, "the life of man [is] solitary, poor, nasty, brutish, and short." Besides, government by consent of the governed, as we Americans were to demonstrate, carried great benefits. Although the Leviathan's powers are in principle absolute, Hobbes limited the state's task to securing the peace by securing the rights that had been insecure in the state of nature, thus providing the foundation of the liberal state and limited government.

He did more than that. He caused some thoughtful men to wonder whether peace might be established not only among the men of one state but also among all men of all states. What particular men could do, he suggested, their sovereigns could do. As he put it, "every sovereign hath the same right, in procuring the safety of his people, that any particular man can have, in procuring the safety of his own body. And the same law that dictateth to men that have no civil government, what they ought to do . . . dictateth the same to commonwealths." In a word, a state might enter into a contract with every other state to form a world state or, at least, a world federation.

Thanks ultimately to Hobbes, world peace based on world law became a project, and a not impossible prospect. After all, there was nothing parochial about the Hobbesian foundation; his liberal state was based not on the rights of particular men, but on the rights of every man. "We hold these truths to be self-evident," we Americans declared in 1776, "that *all* men are created

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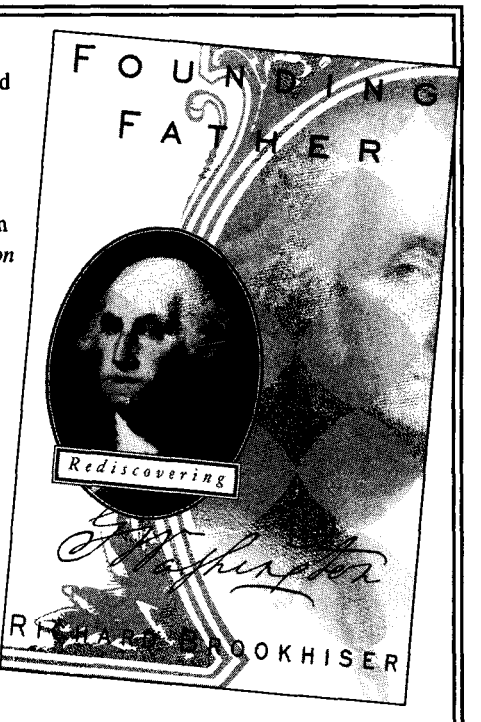

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equal [insofar as] they are endowed by their Creator with certain unalienable rights." What we could do, other peoples might do, and it was not impossible that they would do it because, as Jefferson said on the fiftieth anniversary of our independence, "All eyes are open, or opening to the rights of man."

He had reason to be confident. Had not the French also issued a Declaration of the Rights of Man and fought a Revolution under its banner, and was that Revolution not likely to inspire the rest of mankind, especially the Europeans? Among philosophic men, Edmund Burke was almost alone in condemning it.

It is impossible to exaggerate the impact of the French Revolution, not only on European politics but on European thinkers of the first rank. Burke may have thought it a bad accident, but to Hegel the Revolution represented the unfolding of reason in history. History had decreed that the state be founded on the universal principles of liberty, equality, and the rights of man, a state where "a man counts because he is a man, not because he is Jewish, Catholic, Protestant, German, Italian, etc." But, to quote Werner J. Dannhauser, "Hegel's system was unable to accommodate the existence of the Jews, who survived when [according to Hegel] they had no business to do so." What had been a dispute between Judaism and Christianity was transformed by Hegel into a dispute between Judaism and History.

ENTER the Young Hegelian, Karl Marx, the champion of a universal, classless society. What for Hegel had been the difficulty of fitting Judaism into his theoretical account of the historical process became for Marx the practical necessity of doing away with Judaism. Marx did not promise world government; he promised a world without government, and, as he said in his essay "On the Jewish Question," its realization depended on the "emancipation of the Jews" from Judaism. Or, as he put it in the last line of that essay, "the social emancipation of the Jew is the emancipation of society from Judaism." A world without government—and the same might be said of a world government—required that a man agree to regard himself as simply a man, not as a Jew—or, indeed, as a "Catholic, Protestant, German, Italian, etc." For there is no reason why Marx could not as easily have said that "the social emancipation of the Christian is the emancipation of society from Christianity."

He singled out Judaism because, ignoring the case of his father, he believed that it is more difficult to cease being a Jew than to cease being any kind of Protestant, for example, and also because he identified Jews with capitalism. But we have it on the authority of Max Weber—see his *Protestant Ethic and the Spirit of Capitalism*—that Protestants also make good bourgeois capitalists. That affinity aside, Jews are surely not alone in continuing to affirm the validity of their ancient principles. True, God called them a "stiff-necked" people (*Exodus* 32:9), but by scattering the sons of Noah "over the face of all the earth" and confusing their language so "that they may not understand one another's speech" (*Genesis* 11:1–9), He created a lot of stiff-necked Muslims and, to bring this closer to home, Christian Coalitionists. Only a fool can expect these various and disparate peoples to exchange their ancient faiths for an insipid universalism. But that is the price they would have to pay.

It will, of course, be argued that they have managed to find a home in liberal-democratic America; after all, this country is, to quote *The Book of Common Prayer*, a haven "for all sorts and conditions of men." But this fact, even assuming it is a fact, is not as encouraging as it might appear.

For one thing, even our country is now having difficulty accommodating its multiculturalists and -lingualists; and it has ominous reason to know that "a house divided against itself cannot stand." Moreover, insofar as this country has succeeded as a near-universal "haven," it has done so only because it was founded on the new principle of liberty of conscience. Affirming the truth of this principle does carry a price, a price that many religious believers around the world were and are unwilling to pay. Men like the Ayatollah Khomeini see liberal-democratic tolerance as heretical, and liberal democracy itself as an abomination.

More generally, the world is not exactly teeming with liberal democrats today. Indeed, the thought of entering into a contract with the likes of Saddam Hussein, Deng Xiaoping, Muammar Qaddafi, and Radovan Karadzic—for there can be no world government without them—ought to be enough to persuade us to be satisfied with the government we have. Warts and all, it is better than any of the available alternatives.

It is surely better than any possible world government. Under the circumstances, such a government could only be established by force of arms, which, in fact, could be what Jim Garrison had in mind. "I've always admired Alexander the Great," he confessed to that San Francisco reporter. "Can you imagine at 18 getting on your Bucephalus, and riding across the Hellespont with a couple of thousand Greek soldiers who passionately believe in you, and conquering the entire known world?"

As that reporter said, "Such are the dreams of Gorbachev's disciples." □

Suffer Little Children?

The death of a child opens a window on a fatally confused bureaucratic system.

JOYCE MILTON

IT was one of those horror stories that have become all too familiar to New Yorkers. On the day before Thanksgiving, an ambulance summoned to the Rutgers House project on the Lower East Side of Manhattan discovered the horribly scarred body of six-year-old Elisa Izquierdo. Elisa had not been seen much by neighbors since she was removed from kindergarten classes last spring. Reportedly, she had been kept locked in one room of the apartment and forced to urinate and defecate in a cooking pot. In an effort to exorcise the devils that inhabited the little girl's body, her mother, Awilda Lopez, beat

Miss Milton is the author of Loss of Eden, *a biography of Charles and Anne Morrow Lindbergh.*

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her, tortured her with a stiff hairbrush, and pushed objects up her rectum.

This time, the news footage had personal resonance for me. Elisa's father, Gus Izquierdo, had worked as an institutional aide at the Auburn family shelter in Brooklyn, where a close friend of mine, John Harvey, was one of his supervisors. Izquierdo doted on his daughter, working overtime to provide for her, styling her long, curly hair himself, and making sure that she was always immaculately dressed. Elisa looked like a princess, and soon she had her very own Prince Charming. When Prince Michael of Greece visited her school and suggested that he would like to sponsor a child in need, one of the school's administrators mentioned Elisa. He met her and offered to underwrite the cost of her education.

But there was already a shadow over Elisa's future. Awilda Lopez had emerged from a drug-rehab center and wanted her back. In late 1991, Mrs. Lopez won the right to have Elisa spend every other weekend with her. Elisa returned from these visits anxious and depressed. Izquierdo and her teachers suspected that she was being abused, but after warning Mrs. Lopez against hitting the child, a family-court judge allowed the visits to continue. Then, in May 1994, the 34-year-old Gus Izquierdo died and Awilda Lopez was given full custody.

For John Harvey, the news of Elisa's death a year and a half later came as a shock but, unfortunately, not a surprise. Those who know the welfare system from the inside can only be thankful it doesn't happen more often. Thanks to confidentiality laws and regulations, most taxpayers have only the vaguest notion of what New York's Human Resources Administration actually does, and HRA workers themselves tend to be cynical about media interest in the wake of a child's death. Too often, such stories focus on the search for an individual scapegoat. The case of Elisa Izquierdo may be the exception. But as Mayor Rudolph Giuliani and the State Investigation Commission ponder reforms, they should look for the true answer to the question in the history of welfare policy, where the bright innovations of yesterday all too often become the crises of today.

In the 1960s, when young people leaving college with a liberal-arts diploma and no particular job skills were wondering what they could do for their country, one obvious answer was to become a caseworker with the city's Department of Welfare. Young, energetic, and politically sophisticated, the new recruits found themselves working under old-line social workers trained in the settlement-house tradition—"little old ladies in tennis shoes," one of my friends called them. My ex-husband, who became a caseworker in 1967, straight out of Swarthmore College, was instructed by his training supervisor that on entering a new client's apartment he should run his finger along the baseboards to check her housekeeping. My ex had many skills, but knowing how to hold a broom was not one of them. It seemed self-evident to him (and to me) that his job was to help poor women negotiate the bureaucracy and get money, not teach them how to keep house.

Caseworkers at this time were officially known as welfare "investigators," and the tool of their trade was a book that spelled out in minute detail the basic household provisions that every recipient of AFDC (Aid to Families with Dependent Children) was entitled to. A fork was reimbursable at 17 cents, and so on. Each welfare grant was tallied individually, and subject to frequent revisions. And each time the caseworker submitted a new budget to his supervisor, he would be asked: "Where is the

"(An) incendiary thesis...

that separate races of human beings evolved different reproductive strategies to cope with different environments..."

—Malcolm W. Browne, *New York Times Book Review*

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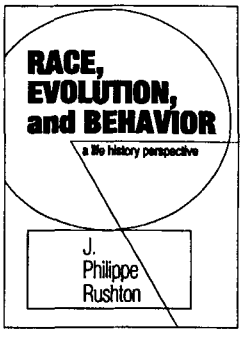

Race, Evolution, and Behavior

J. Philippe Rushton

Why are the races different? How different are they? This book examines genetic theories to overturn the prevailing view that if all people were treated the same, most race differences would disappear. Rushton examines international data on over 60 variables, including brain size, intelligence, crime, and sexual behavior, and finds that Asians and Africans average at opposite ends of a continuum with Europeans intermediate.

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children's father? Why isn't he providing these things?"

These were good questions. But in the liberated 1960s, few recent college graduates had any enthusiasm for monitoring the personal lives of their clients. Even if they did, looking for absent fathers was a time-consuming and thankless task. The typical father was contributing just enough to help the mother eke out her welfare grant. Tracked down and informed that the family's check would be docked a dollar for every one he contributed, the father lost the incentive to do even that much.

Caseworkers also disliked the AFDC rules because they encouraged the break-up of families. John Harvey found that his response to the "Where's the father?" question got him into trouble with his supervisors almost immediately. "I did not know much," he told me recently, "but I knew that a woman with children was supposed to have a man at home. So I asked my supervisor, 'Why are we punishing the women who do, and rewarding the ones who don't?' This was such a stupid question that she couldn't answer me. She walked away shaking her head, as if to say, 'Look at the kind of people we're hiring now!' "

BUT IT was the old-line supervisors who were out of sync with the times. By the late 1960s academics and anti-poverty activists were challenging the very premise of linking welfare grants and social work. The poor are different from you and me, the new wisdom went, only because they lack money. To assume that the needy were socially dysfunctional was condescending and racist, not to mention an invasion of the clients' rights to privacy. This view is still advocated by some liberal theorists like Columbia University's Herbert J. Gans, who argues that imposing middle-class values on the poor is tantamount to cultural imperialism.

Since eliminating case investigators promised to save money, the new wisdom proved irresistible. Beginning in 1969, New York City started to revamp the welfare bureaucracy, separating the distribution of AFDC checks from social services. No sooner was the "streamlining" of social services accomplished than some disadvantages became apparent. Under the old system, caseworkers' clients typically lived in the same neighborhood, often in the same large apartment building. Caseworkers negotiated landlord–tenant disputes and could arrange emergency grants to cover one-time expenses like a high-school senior's college-application fee. With experience, they learned to identify the most troubled families and intervene to good effect. The power to approve or withhold welfare checks was a potent weapon. "I could tell a mother, 'You'd better send your child to school, or you won't get your money,' " Harvey recalls. "If I saw a bruise on a child, I could say, 'I'd better not see another black-and-blue mark, or I'll cut off your checks.'" Although Harvey, and no doubt many others, had ethical qualms about this approach, it was often amazingly effective.

Soon after "income maintenance" was divorced from social work, the public began hearing alarming reports of an epidemic of child abuse that was sweeping New York City and, indeed, the nation. This "epidemic" was partly real and partly a statistical chimera. Problems that might have been dealt with informally now festered until they came to the attention of a Good Samaritan in the community. And child-welfare workers were also seeing many more unfounded complaints. Unlike the case investigators of old, they did not know the families involved or have friendly contacts in the neighborhood, and they were forced to make on-the-spot evaluations. Sizing up cases became ever more complicated as feuding families learned that an accusation of child abuse could be an effective way to prepare the ground for a divorce or custody battle. "We are the divorce lawyers for the poor," one caseworker told me ruefully.

The brunt of the child-abuse epidemic was borne by the HRA's Bureau of Child Welfare, later known as the Child Welfare Administration. During the 1960s BCW workers viewed themselves as elite, a cut above the AFDC caseworker. Many were assigned to "preventive services," counseling families on a long-term basis. But by the early Seventies social workers whose training and experience had focused on techniques for keeping troubled families together were finding themselves transferred to the "protective" side of the agency. New York state law mandated that every complaint be investigated within 24 hours. This mandate guaranteed that the office operated in an atmosphere of perpetual crisis, though the sense of urgency did not extend to giving caseworkers the use of official cars. One BCW worker I knew realized that the situation had become bizarre when a supervisor shouted at her, "It's an emergency! You'd better catch the next bus!"

"The current tax code isn't all bad—at least my employees have stopped asking for raises."

IRONICALLY, the professional pride that child-welfare workers took in their jobs contributed to the agency's downward spiral. When Harvey was transferred to the Brooklyn office of BCW in 1974, he discovered that the staff considered it unprofessional to file for overtime pay, even though they were entitled to it. This idealistic attitude overlooked the reality that, in a bureaucracy, the grease goes to the squeaky wheel. Complaints about overwork meant little to harried administrators at the central office, who assigned new hires to those divisions which had unacceptably high overtime budgets. Harvey's repeated suggestions that the solution was to demand overtime won him enemies among some of the more politically radical workers, who felt that he was reducing a social crisis to the level of a mere wage dispute. The overtime issue festered for four years, until a wildcat strike led by a militant faction at the Brooklyn office collapsed in less than a week. Stunned by the lack of support from other HRA offices, the survivors of the strike began to think that filing for overtime might be a useful approach after all.

By now it was 1980, and the workplace culture of the Child Welfare Administration had changed almost beyond recognition. Along with an enormous increase in complaints, the previous decade had ushered in a blizzard of paperwork. Much of every worker's day was devoted to filling in forms, including a lengthy questionnaire required by the state of New York. The questions the state asked were often ir-

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relevant, but the forms were subject to spot checks, and if too many lines were left blank the state would use the incomplete paperwork as an excuse to deny reimbursement.

Like every other private and public organization in the country, the Child Welfare Administration was also being swept into the computer age. But child-welfare workers did not—and still do not—have a computer terminal on their desks. Instead, their written records are transferred to a special unit where clerks enter the information. This process takes at least a week; backlogs of several months are not uncommon. As a result, the computerized case file is not a working tool but an archive, likely to be consulted only if a case goes sour and the central office wants someone to blame. Under the circumstances, there is no incentive to make the case record complete, much less candid.

Not only does a complete case record not exist on the computer, it no longer exists on paper either. Many able people become child-welfare workers in New York City, but the low pay and stressful working conditions guarantee that few of them remain for long. Those men and women who do stick with the job may be well intentioned and dedicated, but they are also products of a fractured educational system. Despite holding BAs and, on occasion, master's degrees in social work, they are often functionally illiterate. "In the old days," says Harvey, "the most valuable part of the case record was the blank page." The worker used this page to write a concise paragraph or two summarizing his observations. By the mid Eighties this task was beyond the capabilities of many caseworkers, and supervisors found themselves spending a good deal of time coaching anxious subordinates in the basics of grammar and spelling. "One of my workers asked me how to spell package," he recalls. "I said, 'With a 'ck.' When I got his report he had written that the family received one 'pagack' of this and one 'pagack' of that."

The bureaucratic malaise of the CWA was no secret, but by the early Eighties attention and tax moneys were being channeled toward homelessness—another "emergency" largely created by the failed policies of the previous decade. Harvey and other experienced supervisors were transferred to the shelter system. Training standards in the CWA field offices continued to deteriorate.

To an outside observer, it may seem obvious that certain behaviors, such as using drugs and injuring children render a parent unfit. In practice, if the city were to enforce this standard strictly, the already mismanaged foster-care system would collapse overnight and the Department would be accused of a conspiracy to strip minority communities of their children. There are certain warning signs that can be used to diagnose the more serious cases of child-abuse syndrome, but as standards declined, newly hired workers—many of them immigrants from countries where child-rearing practices are quite different—were left on their own, charged with distinguishing the merely undesirable from the potentially lethal. The most shocking aspect of Elisa Izquierdo's case is that so many danger signs were present but were apparently overlooked by both public and private social workers.

After Gus Izquierdo died, his cousin Elsa Canzares applied for custody of Elisa. But Awilda Lopez also wanted legal custody. Despite the suspicions of Elisa's teachers and Mrs. Lopez's history of drug abuse, the CWA supported her claim. She appeared in family court with the additional support of private social workers from a family agency known as Project Chance and a Legal Aid lawyer. Elsa Canzares had no legal representation and was treated as an interloper.

The logic that made a crack-using mother a victim of cultural imperialism had been bolstered during the Eighties by the rhetoric of the recovery move-

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ment and 12-step programs. Drug-treatment programs may be good things in themselves, but the counselors and clinicians who staff them view the drug user as primary client, and there is a built-in bias in favor of giving an addicted mother one more chance to straighten out her life, no matter how many times she has failed in the past. The result, to borrow a phrase from Samuel Johnson, is the triumph of hope over experience—with children paying the price.

Awilda Lopez won her custody battle, and Elisa soon began to exhibit more troubling symptoms of emotional disturbance. After Elisa's death Dr. Bart O'Connor, the Project Chance administrator, told the *New York Times* that because Awilda Lopez's other children appeared to be well cared for, his caseworkers did not believe she or her new husband could be responsible. This is a puzzling statement, since it is well known that an abusive parent tends to focus his ire on one child. Sometimes a handicapped or problem child is singled out, but, often, it is the brightest, best-looking, or most spirited child. Pretty Elisa, who had her own guardian angel, a prince no less, would surely have had problems adapting to her new situation. "Everything about her was a reproach to her mother," speculates Harvey.

Phoebe Greenbaum, the judge who heard Elisa's case in family court, must have had qualms about her decision because she had ordered the CWA to monitor Elisa's progress. Over the next year, there were multiple indications of trouble: Mrs. Lopez removed Elisa from the YWCA school in Brooklyn (despite Prince Michael's readiness to pay her fees) and placed her in kindergarten at PS 126. Then, in April 1995, she took her out of school altogether. An emergency-room doctor reported treating Elisa for a four-day old shoulder injury. Carlos Lopez, Elisa's stepfather, was arrested for stabbing his wife seven times, even as she held her youngest child in her arms. A grand jury is currently investigating exactly why the CWA failed to act in the face of these developments. But the underlying reason is that case monitoring had become little more than a relic of the days when the agency devoted a substantial percentage of its efforts to "preventive" counseling.

The records of Elisa Izquierdo's multiple encounters with the bureaucracy were even more scattered than usual. Weeks after her death, some documents have yet to be found. Somewhere along the line, it seems, a CWA worker had been told that Elisa was being admitted to a hospital for a complete physical and psychiatric evaluation. Although this never happened, her case became inactive. Ironically (and contrary to the judge's instructions) it would have been officially closed except that the system failed once again—someone entered the wrong codes into the computer.

This cycle of ineptitude may finally be broken by Mayor Giuliani's decision, announced on January 11, to remove child-protection services from the aegis of HRA. The revamped agency will be under the direction of Nicholas Scoppetta, a former prosecutor best known for his service on the Knapp Commission on police corruption, celebrated in the film *Prince of the City*. Scoppetta, a former foster child himself, promises to improve management procedures and hold parents to a standard of personal responsibility. In the future, a mother who gives birth to a drug-addicted baby will be required to enter a treatment program and face the loss of her parental rights if she fails to demonstrate her fitness.

But changing the culture of the agency and its private-sector allies won't be easy. Within days of Giuliani's announcement, the new policy was being attacked in the letters column of the *New York Times* by a group of medical-school professors on the grounds that it was racially discriminatory.

This is one instance when public opinion, and even the editorial voice of the *Times*, is solidly behind the mayor. Unfortunately it is all too easy to imagine that the mantra of "keeping families together" at all costs will soon be replaced by another one-size-fits-all slogan. Social science is peculiarly subject to intellectual fads, and the same zeal for applying untested theories that leads to defending the rights of the biological mothers, no matter how unfit, can be directed toward breaking up families on the basis of casual allegations.

Part of the problem is that social workers have always been asked to perform a dual role: They are the champions of society's victims but also the enforcers of community standards. The farther one gets from old-fashioned family casework and a shared commitment to so-called middle-class values, the more these roles conflict. Putting child protection in the hands of an administrator whose background is in law enforcement is a step in the right direction. □

Rule by Law

Conservatives yearning to rein in the courts have a long-neglected tool ready at hand.

ROBERT P. GEORGE & RAMESH PONNURU

CONGRESSIONAL conservatives have an ambitious agenda: limiting government, promoting economic growth, reforming social policy. Fighting the considerable resistance to that agenda has occupied most of their time and energies. It's understandable, then, that until recently another important conservative goal has not received much attention. That long-term project is nothing less than the restoration of America's constitutional order.

Judging from this year's paeans to the Tenth Amendment, Republicans recognize the troubling divergence between current governmental practice and sound constitutional principle. But the Tenth Amendment is hardly the only part of the Constitution that has fallen into desuetude; and the federal judiciary bears the main responsibility for this state of affairs. Courts have repeatedly imposed liberals' pet policies on everything from abortion to welfare, in defiance both of their constitutional mandate and of public opinion. In so doing, they have not only frequently enacted unjust and counterproductive policies. They have also narrowed the scope of democracy in American life.

Mr. George is a professor of politics at Princeton. Mr. Ponnuru is NR*'s national reporter.*

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Conservatives need, therefore, to devise a strategy for reining in the courts. It's important, of course, for Congress to block the appointment of judges who confuse themselves with legislators; and the next Republican President, one hopes, will appoint judges who understand their proper role. But the disappointing performance of several Reagan and Bush appointees to the Supreme Court testifies to the limitations of that strategy. External restraints are also necessary.

To his credit, Pat Buchanan has incorporated this idea into his presidential campaign. Speaking before the Heritage Foundation in late January, he proposed a series of judicial reforms, including: an end to lifetime tenure for federal judges; voter recall of judges; congressional restrictions on the Supreme Court's jurisdiction; and national referenda on major Supreme Court decisions. Many of these proposals, whatever their merits, would require constitutional amendments. But one of them, as Buchanan noted, is an unwisely neglected provision already in the Constitution.

UNDER Article III, Section 2 of the Constitution, the Congress has the power to make exceptions to and regulate the appellate jurisdiction of the Supreme Court. When the Justices overstep their bounds, Congress can strip them of jurisdiction. Since the "inferior" federal courts are created by Congress, their jurisdiction is also subject to congressional limitation. Congress has largely failed to perform this regulatory duty. But a Congress that is serious about reclaiming the Constitution could rehabilitate Article III, Section 2 by regulating the federal judiciary's jurisdiction in three strategic areas: prison management, school prayer, and term limitation.

Prison management is perhaps the easiest place to start limiting judicial power. Many judges now realize that even if they had a constitutional mandate to micromanage prisons, they lack the capacity to do so intelligently. And they have a bad conscience over the mess they have made in this area. As well they should: in Philadelphia alone, over one hundred people have been murdered by criminals set free by court-ordered prison population caps. Responding to justified public outrage over such travesties, House Republicans have proposed limiting the remedies available to the courts in prison-related cases. They should go further, and stipulate what conditions and policies of prisons should be beyond the review of the courts.

Republicans in Congress who support a constitutional amendment allowing school prayer should consider using Article III, Section 2 to achieve the same result. The political argument for this method is simple: stripping the courts of the ability to review state and local policies on school prayer requires a simple statutory majority, whereas a constitutional amendment requires a two-thirds majority and ratification by three-quarters of state legislatures. Conservatives have a more important reason to prefer the statutory approach: they have never believed that the First Amendment, properly construed, prohibits states, localities, and school districts from permitting school prayer. It would violate a principle of economy to amend the Constitution to put back something that is already there. Indeed, to do so could be construed to concede that the Supreme Court was right in its interpretation of the Constitution as it stands.

Removing the courts' jurisdiction over state term limits would reverse the Supreme Court's disappointing decision on that issue and thereby affirm American federalism. It is abundantly clear that term limits do not enjoy two-thirds support in the current Congress; no constitutional amendment on the subject, however watered down, is going to

(Continues on page 68)

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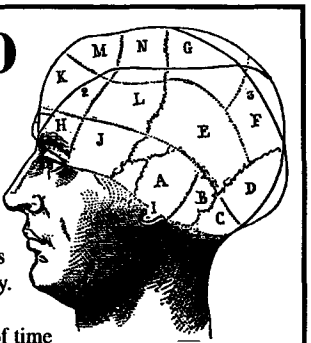

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THE VICE PRESIDENT
WASHINGTON

February 4, 1996

Dear Rusty,

You'll never believe it! Tipper just gave me the best gift ever—and it isn't even my birthday!

I was sitting in my study, reading that new book, Primary Colors. It's a new novel by an anonymous author loosely—and I mean loosely—based on our '92 campaign. The whole town is trying to figure out who wrote the darn thing. Personally, I don't really care. It's not a funny book. It's a mean book. If Bob Dole wasn't so busy campaigning and if I wasn't sure that he wasn't on our Clinton-Gore '92 Bus Tour, then I'd be convinced that he wrote it.

Anyway, while I was reading, Tipper wheeled in a giant crate. She giggled excitedly while I opened it—it was a HealthRider. Sort of a cross between a see-saw and a bicycle.

"Tipper!" I shouted happily. "This is the best present ever!"

"I knew you wanted one," she said.

"Wanted one?" I said. "Tip, I needed one. Watching those clips from the State of the Union—"

"I know, I know."

"—and listening to Al Jr. say, 'Who's that fat guy sitting next to Newt Gingrich?' But aren't these things expensive?"

"Don't worry about it, Al," Tipper said mysteriously. "I've just had a little windfall. Pretend like I invested in cattle futures, if it eases your mind."

"But why, Tipper? Why the surprise?"

"Well," Tipper said, "it looks like it's going to be a long, hard campaign—"

"You think I need to shape up for a race against Bob Dole?"

"Okay, okay. You look fat, Al. And I don't want to have to let out the waist of your inauguration trousers."

"Okay, then," I said. I appreciated Tipper's honesty. And before I knew it, I was bobbing up and down on the bicycle seat just like they do on the commercial. It was a cozy Sunday afternoon, and one of the few quiet ones we've had for a while. The girls were at the library studying for exams, Bill was in New Hampshire at a pancake breakfast, Hillary was at the office of Wilmer, Cutler, & Pickering, and Al Jr. was quietly surfing the 'Net until his mother saw the places he was surfing to and put a stop to it.

After about twenty minutes of bouncing up and down, I was pretty tuckered out. So I collapsed on the couch with Primary Colors. Tipper curled up next to me and read the Sunday New York Times.

"Primary Colors just hit the bestseller list," she said.

I shrugged. I don't really like it when I'm reading and Tipper keeps trying to start a conversation. It's one of the reasons I haven't been able to get through the Telecom bill.

"Tipper, do you mind?"

"I'm sorry."

"It's just that I have to finish this stupid book this afternoon. I don't want to be left out at tomorrow's Cabinet meeting." I went back to reading.

Tipper rustled a few pages of the paper. "Al?"

I looked up, exasperated. "What?"

"What did you mean when you said it was a 'stupid' book? The critics don't seem to think it's 'stupid.' The Post called it 'winning and lively.' The New York papers raved. It got nice write-ups in The New Yorker and Time and Newsweek. And it's selling like hot cakes. And if it gets sold to the movies we're talking some heavy coin. They have to let the original author write the first draft. So when you say something is 'stupid' you should think first, because a lot of people might think that writing a book about the environment is stupid and writing a best-selling novel about the '92 presidential campaign is smart. Especially the author of Primary Colors and her agent, Mort Janklow, who thinks she's a 'rare comic find.'"

"Excuse me?"

"Nothing. It's the weather. It's got me cranky."

She smiled her wide Tipper smile, and I smiled back because I know how the weather can ruin a person's mood. It's this damn global warming, Rusty. It's made the winters cold and the summers hot and the autumns chilly and the springs wet. Where will it end?

I went back to my reading. Tipper suddenly looked up.

"Kim Basinger and Alec Baldwin!" she cried.

"What?" I asked.

"They'll play us in the movie of Primary Colors!"

"Tipper, we're not even in the book."

"Yeah, well, we'll be in the movie."

And she raced off, leaving me in peace to finish the book. I'm sorry, Rusty. It's just not funny. And I know funny.

Your pal, Al

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BOOKS, ARTS & MANNERS

'McCarthyism' Reconsidered

ELLIOTT ABRAMS

WILLIAM Buckley is nothing if not an optimist, or he would never have founded this very magazine at a moment when liberalism dominated American political and intellectual life. That optimism is displayed again in his introduction to *McCarthy and His Enemies*, where he writes that "a gradual and painful process of historical rectification" is under way with regard to McCarthy and anti-Communism.

Thanks to the opening of some Soviet archives, far more information is available now than in 1954, when this book was first published, on the subject of American Communism and its ties to Soviet espionage. The guilt of the Rosenbergs, for example, has been transformed from clear (after their trial) to crystal clear (since Allen Weinstein's book) to undeniable (since Soviet files have been available). But the guilt of American Communists has not seemed to do much for Senator Joseph McCarthy's posthumous reputation. Whereas in the early 1950s many people tried to believe that one could prove the innocence of Joseph McCarthy's targets by attacking his methods and morals, today incontrovertible evidence of Soviet espionage efforts in America is treated as if it were unrelated to history's judgment of Senator McCarthy.

McCarthy and His Enemies, by Wm. F. Buckley Jr. and L. Brent Bozell, with an introduction by WFB (Regnery, 495 pp., $16.95)

Buckley and Bozell went at the McCarthy problem in two ways. First they undertook an elaborate evaluation of the evidence in nine cases, trying to show that McCarthy's charges were persuasive. This was a laborious undertaking, and in his introduction Buckley notes that "18 months . . . is a very, very long time to spend on the question whether Esther Brunauer was ever a member of the Joint Anti-Fascist Refugee League." Buckley may fear that these pages read slowly, but in fact they are fascinating—probably more so today than when they were first published. That shadowy world of wartime front organizations; of Communist agents, fellow travelers, and dupes; of Owen Lattimore and John Stewart Service, Philip Jessup and John Paton Davies, was far more familiar then; now it reads rather more like a novel. Back then these pages were yet another addition to the ongoing debate about McCarthy and his enemies. Today they provide a rare insight into what McCarthy's arguments were all *about*.

Frederick H. Carlson

For as Buckley and Bozell repeatedly underline, the issue was in fact whether the State Department was running its security program well or poorly. For this, Buckley and Bozell, like McCarthy, did not need to show that specific employees were guilty of espionage; they needed only to show that there was *some* evidence that an employee was a security or loyalty risk, and that the State Department (or whatever agency was pertinent) had willfully overlooked it. They accused State of "criminal nonchalance" in regard to these cases—a "total absence of will" to take the charges seriously.

What were the charges? They ranged from accusations of actual espionage—handing secret documents over to Soviet agents—to involvement in dozens of Communist-front organizations (the argument being that involvement in one or two might indicate carelessness, but involvement in 15 shows a certain political leaning). When someone switches his views of whether to fight Hitler from "Stay out of the fascist war!" to "Join the united front against fascism!" immediately after Hitler attacks the USSR and the Communist line changes, this is at least suggestive. And so Buckley and Bozell asked, "Did McCarthy present enough evidence to raise reasonable doubt as to whether all loyalty and security risks had been removed from the State Department?"

The verdict rendered here is that he did. In most of his cases McCarthy adduced persuasive evidence; the State Department's efforts stood condemned; and the screams of "Red scare" were efforts to occlude this truth.

But in other cases McCarthy had it wrong, the authors say, or his rhetoric exceeded what the evidence permitted. Thus he committed "an egregious blunder" when, in the follow-up to his famous speech of February 9, 1950, in Wheeling, West Virginia, he said that he had the names of "57 card-carrying members of the Communist Party" within the State Department, when in fact all he had was a list (whose length was unclear) of security risks there. Claiming that these were "new" names, when in fact they came from a House investigation, was "misleading the Senate." McCarthy told the Senate he would give it "the fullest, most complete, fairest résumé of the files" but willfully failed to do so, and "on this

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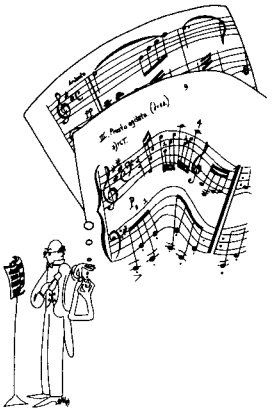
point, McCarthy deserves to be censured." Some of the charges McCarthy made before the Tydings Committee, which was investigating his claims against State, "were exaggerated; a few had no apparent foundation whatever" and deserved censure. McCarthy was "guilty of a number of exaggerations, some of them reckless . . . they are reprehensible." McCarthy "smeared" the columnist Drew Pearson, and his charges against General George Marshall "deserve to be criticized . . . McCarthy's judgment here was bad."



Buckley and Bozell were, then, honest in their assessment of McCarthy and his methods, though gentle in passing sentence. In the Marshall case, for example, they acknowledge that McCarthy in effect accused the general of treason, and one can think of harsher terms than "bad judgment" to describe that accusation. But they point out that McCarthy was in a business that permitted a certain latitude: it was politics, not physics. "McCarthy's record is . . . not only much better than his critics allege, but, given his métier, extremely good." Thus he "should not be remembered as the man who *didn't* produce 57 Communist Party cards but as the man who brought public pressure to bear on the State Department to revise its practices and to eliminate from responsible positions flagrant security risks."

The second way Buckley and Bozell approached the overall issue of McCarthy and McCarthyism was by confronting the issue of dissent in a democracy. Every society, they argue, is based on certain values and battles against competing values. "Not only is it *characteristic* of societies to create institutions and to defend them with sanctions. Societies *must* do so—or else they cease to exist." Our society has the moral right to abhor Communism, and to suspect those who do not do so, and to impose sanctions on them. "We cannot avoid the fact that the United States is at war against international Communism, and that McCarthyism is a program of action against those in our land who help the enemy. McCarthyism is . . . nine parts social sanction to one part legal sanction. But that one part legal sanction is legitimate."

In this way did Buckley and Bozell defend the entire anti-Communist effort. While they criticized its excesses, their special contribution—more valuable than their case studies, because others could have done that work—was to challenge the liberals' claim to the moral high ground. They faced and rejected the argument that McCarthyism was in its very essence evil because it was an effort at censorship and thought control. Its essence, they argued, was to defend liberty from Communism.

This argument was undercut, politically if not intellectually, by the conduct of Senator McCarthy himself. Some of that conduct came after *McCarthy and His Enemies* was written. The Army–McCarthy hearings, during which McCarthy displayed his character flaws, and his political flaws, all too flagrantly and was censured by the Senate, occurred within a year of the book's drafting. Roy Cohn, McCarthy's counsel during those hearings, later wrote that "with his easily erupting temper, his menacing monotone, his unsmiling mien, and his perpetual five-o'clock shadow, he did seem the perfect stock villain."

In his introduction Buckley quotes from a 1960 exchange with Evelyn Waugh, who noted that this book was "written before [McCarthy's] later extravagances." Waugh told Buckley that "your book makes plain that there was a need for investigation ten years ago." But until various charges against McCarthy personally are rebutted, Waugh concluded, "those who are sympathetic with his cause must deplore his championship of it."

To all of this Buckley responded that

> *McCarthy and His Enemies* is not an attempt at biography. . . . It is a fragmentary inquiry into . . . the issue of security procedures in the government, of McCarthy's charges, of the tumult that ensued. It is a study (by no means uncritical) of the rhetoric used by McCarthy to make his case. . . . This book does not presume to instruct Mr. Waugh or anyone else on whether McCarthy was or was not, taking into account the whole of his career, morally fit to earn their support. Our ambition was to set down the facts upon which a responsible judgment can be made of the issues McCarthy raised, and rode, through the years that made him prominent.

The "issues." There is of course a problem here, for it is simply impossible to judge the "issues" without judging as well the behavior of McCarthy. While at times Buckley demands that we rise above politics and personality and judge the facts, he knows that this cannot be. "Why have we focused attention on the record of Senator McCarthy?" Buckley and Bozell asked in 1954. "Because it is predictable that, if McCarthy's enemies are successful in discrediting him, the mobilization will lose momentum and, perhaps, grind to a dead halt."

True enough. Whittaker Chambers wrote to Buckley, back in 1954, that those of his persuasion lived "in a terror that Senator McCarthy will one day make some irreparable blunder which will . . . discredit the whole anti-Communist effort for a long while to come." Even though that effort in one sense triumphed with the victory in the Cold War, its justice still has not been acknowledged in many circles.

Looking back, one is struck by the mismatch between the great moral seriousness and political sophistication of Buckley and Bozell, and the behavior of their champion. Buckley's introduction quotes Dwight Macdonald's remark that *McCarthy and His Enemies* "gives the general effect of a brief by Cadwalader Wickersham and Taft on behalf of a pickpocket." Even if one acknowledges absolute seriousness of purpose on McCarthy's part, the damage his conduct did to the cause is unforgivable. The danger of Communist espionage does not pardon that conduct; on the contrary, that danger should have taught McCarthy that precision was essential just because every error would be a gift to the enemies of the cause.

Buckley does not attempt, in his introduction, to weigh McCarthy's contributions in alerting Americans to the security issue against the damage his misconduct in fact did to the anti-Communist cause. This would have required him to assess McCarthy's "later extravagances"—and would as well have required a judgment of the likely course of American anti-Communism had McCarthy never lived. The first may be a distasteful task, and the second a very difficult one, but one cannot help regretting that Buckley did not try it. It can be argued, as Richard Gid Powers does in his new *Not without Honor: The History of American Anti-Communism*, that McCarthy's excesses actually set the

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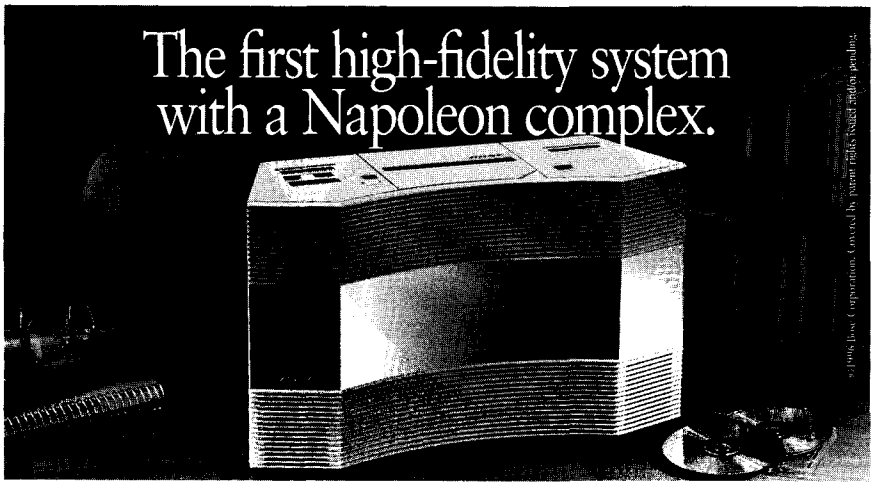
cause back enormously. Does Buckley agree?

In his introduction, Buckley writes that "it is up to the individual to decide at just what point the individual politician has, by his behavior, morally disqualified himself. In this book we suggest only that the same standards be imposed on all public figures." Here he adverts to another theme of *McCarthy and His Enemies*, and one that seems more significant today than it could possibly have been in 1954. Appended to the 1954 text of *McCarthy and His Enemies* is an account (taken from Buckley's *Up from Liberalism*) of a ludicrous effort by the liberal attorney Joseph Rauh and several allies to employ a very shady figure to spy on McCarthy. Spying on the opposition was not an activity characteristic only of McCarthy and the Right (whose opposition was, after all, the underground and conspiratorial Communist espionage apparatus); but only they were condemned for it. Throughout the book there are accounts of the conduct of McCarthy's enemies, including the many parallels between their misconduct and his. If McCarthy is to be censured for saying he had a list of 57 card-carrying Communists when he did not, what of his nemesis, Senator Millard Tydings, who told the Senate he had in *his* hand a recording of McCarthy's Wheeling speech when he did not? If it was justifiable to censure McCarthy for his abusive treatment of some fellow senators, why did Tydings and the liberals get away with the same conduct when it was directed at McCarthy and his allies? What of the many violations of normal standards of procedure and indeed decency committed by the Left? These were never condemned by the Senate, nor were they ever the subject of much attention by the press.

Buckley and Bozell describe something that, in the early Fifties, was quite novel: televised circus-like hearings whose main purpose is really neither investigation nor justice, but moral instruction. The Democrats and the press would join together to teach the American people all about evil on the Right. This would assist them to vote in a more enlightened fashion when next at the polls, and would help raise the cost of being on the "wrong side." All that was required was that certain sins—real sins, very often—be magnified while others were buried. An act was judged on the basis of political utility, and whether it was in truth illegal, immoral,



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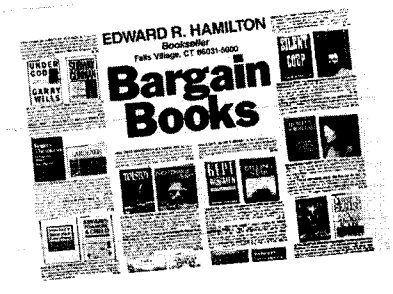

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or even unwise became almost irrelevant. For what was "wrong," what was worth condemnation, depended on which side you were on. As Chambers had predicted, McCarthy's blunders became capital crimes for which his cause would be punished. His opponents' capital crimes became blunders that were not newsworthy. Thus the many hearings about McCarthy focused not on whether State Department procedures really were adequate, but first on whether McCarthy had offered legally persuasive proof that Mr. X and Mrs. Y were indeed espionage agents, and then on whether McCarthy was behaving himself.

What neither McCarthy, nor Buckley and Bozell, could have known in 1954 was that this new pattern would take hold in our public life. And it *was* new, although it lasted so long that it came to seem the natural order of American politics. But it was in the McCarthy era that the iron triangle of liberal bureaucrats, a liberal press, and liberal Democrats in control of Congress was first evident. During the New Deal a fair portion of the press had still been Republican, and during the Second World War these partisan divisions had been muffled. But from the early 1950s on, the pattern unveiled in the McCarthy era reigned supreme, reaching its apotheosis in the Watergate and Iran/Contra hearings. As a participant in the latter, I found the circus atmosphere, the concentration on personalities rather than issues, the selective indignation, the partisan morality, the amazingly biased press coverage, and the immoral conduct of some of the supposed "consciences of our government" that Buckley and Bozell describe here.

Today the pattern has changed. Republicans control both houses of Congress, so the partisan purpose of the Whitewater hearings is to help the conservative side. The liberal dominance of the major media is unchanged, but the search for Pulitzers and the now-ingrained suspicion of authority guarantee a challenge even to a liberal Administration like that of President Clinton. Meanwhile, the long-lived liberal certainties about the McCarthy era are in fact coming under attack as the Soviet files come open.

So perhaps the optimism of this book, the hope that moral and factual argument could sway men's minds, was correct. In those days people talked of "premature anti-fascism" (the Communist term for those who were anti-Nazi before the Nazi–Soviet pact was broken by the German attack on the USSR). We can see Buckley's "premature optimism" in 1954, and he maybe indulging himself in it again in agreeing to the reissuing of this book. But he will have the last laugh. History is opening its files and revealing the true nature and extent of Communist activity in the United States.

And with the optimism, there was moral seriousness. At precisely the moment of greatest hysteria, Buckley and Bozell insisted on clarity of thought and moral purpose. The intellectual standards they upheld here do them honor four decades later, not least because so many in the academic and intellectual elites were happy to compromise those standards in the interest of "democratic centralism." Their book remains of lasting value not so much for its factual accounts or its political reasoning, but because of its moral stance.

And Buckley always remembers that he who wants the last laugh should have a few along the way as well. Through four decades, this has not changed. In 1954, he quoted E. B. White's comment in *The New Yorker* that if McCarthy had ever heard of Thoreau, he would have damned him as a loyalty risk. Buckley cannot resist adding in a footnote: "Which, incidentally, Thoreau was."

Regnery's first printing of this new edition of *McCarthy and His Enemies* has already sold out. That "historical rectification" may be nearer than we think. □

That Fabulous Baker Boy

MICHAEL LEDEEN

IT doesn't take long to get to the desiccated heart of James Baker's bloated memoirs. "Theoretical knowledge," by which Mr. Baker means understanding of and knowledge about the world outside American politics, "is not an absolute necessity for success as Secretary of State, because at its core, the Secretary of State's job is political, just on an international stage." Those remarks tell you everything you need to know about Baker's tenure at State, and —bad grammar and all—about *The Politics of Diplomacy*.

The Politics of Diplomacy, by James A. Baker Jr. with Thomas M. DeFrank (Putnam, 687 pp., $32.50)

The book is about tactics, schemes, and stratagems, not what George Bush derisively called the Vision Thing, and the lack of historical or strategic vision is such that the only errors for which Mr. Baker faults himself are such nonevents as issuing an incautious joint statement with the Soviet foreign minister on the eve of the State of the Union address, thereby diverting some press coverage from Bush's speech. On the really big issues, as for example our failure to achieve the end of Saddam Hussein, he blandly comments:

> We never embraced as a war aim or a political aim [note the odd distinction] the replacement of the Iraqi regime. We did, however, hope and believe that Saddam Hussein would not survive . . . When he managed to consolidate his power, Saddam scrambled our strategic calculations. The result was a sobering reminder that the consequences of success are often far more intricate and unpredictable than anticipated.

Just one of those things, you see.

Baker's misunderstanding of the disintegration of the Soviet Empire is perhaps the most impressive part of his memoirs. "The necessary condition of reform in Eastern Europe," he intones, "was reform in the Soviet Union." As events demonstrated, precisely the opposite was true, for it was the triumph of anti-Communism in Poland—inspired by Pope John Paul II—that demonstrated the hollowness of Soviet rule and precipitated the collapse of the empire. Yet, incredibly, John Paul II is not mentioned once in Baker's index.

Very little is said about those areas in which Mr. Baker truly excelled: his mastery of the political universe, his manipulation of the media to neutralize and destroy his enemies, his way of charming and rewarding the handful of associates who served him with total devo-

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tion. Like few other politicians of his generation, Baker flourished through different political phases and under wildly different leaders, and it would be valuable to have a deeper understanding of his methods.

Mr. Baker doesn't tell us very much about people, either. We hear in mind-numbing detail about cables, letters, memoranda, and meetings, but precious little about the personalities Baker dealt with. His buddy Eduard Shevardnadze, for example, is simply introduced as the Soviet foreign minister, and off we go to the next meeting, without ever so much as a mention of the fact that Shevardnadze was known in his native Georgia as the "Butcher of Tbilisi," having overseen the bloody KGB purges there in the mid Seventies. How did such a man become so important in ending Soviet Communism? Was his "conversion" to democracy genuine or was he just so flexible he could bend with any wind? There is no hint that such questions occurred to Mr. Baker.

Lack of interest in the historical roots of the people he dealt with leads Mr. Baker to make some astonishing howlers, as when he refers to King Hussein of Jordan as the Saudis' "erstwhile brother." Does he not realize that Hussein's Hashemites were ousted from Arabia by the Saud family, and that the little king continues to harbor dynastic designs on the Islamic holy places throughout the Middle East? Such "theoretical knowledge" would seem to be indispensable to the proper design and conduct of American foreign policy, and Baker's contempt for it helps explain the disastrous impression he made on some of the major figures of the time. Margaret Thatcher, for example, remarked acidly after meeting Baker that he was simply "a fixer."

Baker certainly did not see either his or America's role in very glorious terms. Again and again he cautions that we can have only a limited effect on the great changes under way in the world. After the fall of Communism, he visited the republics of Central Asia and concluded that "our prestige was at its zenith, and I hoped to influence events on the margin." So much for the notion that the world's sole superpower had a decisive role to play in shaping the world after a century of war. This was a moment in which the world's leaders looked to Washington for guidance and inspiration, and they got none from our President and secretary of state.

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Why, then, did this man want to be secretary of state at all? Like George Bush, James Baker was an exemplar of an American tradition: those who have dramatically reaped the benefits of American life feel obliged to devote at least part of their lives to public service. It's payback to the country. And there's a kind of neo-aristocratic component to it all, for the Bushes and the Bakers certainly feel that they are the sort of person to whom the reins of power should be entrusted. As Herb Meyer nicely put it, they are "be-ers, not do-ers," driven not by mission but rather by a feeling that they belong at the top of the pyramid. Seen this way, Mr. Baker's desire for State is easily grasped: it was the best job, and he rated it. "More comes at you, and the stakes are higher for your country than with any other Cabinet portfolio." Jim Baker's sort of job, because he had "an unprecedented personal relationship" with the President, because he had the "necessary political and negotiating skills to perform credibly [*sic*!]," and because he was on great terms with the other guys on the team: Cheney, Scowcroft, and Powell.

Like the rest of the team, James Baker prided himself on "pragmatism," which is to say the absence of vision and a shortage of useless "theoretical knowledge." Measure the political parameters; estimate the likely costs and benefits; and operate within those boundaries, and those boundaries alone. It was precisely this sort of amoral calculus that led Mr. Baker to work with Nancy Reagan and Michael Deaver in the Reagan White House to weaken the thrust of President Reagan's anti-Communism, and to curry favor with the elite media. It seems to have been part of his genetic code; way back in 1952, when young Jim Baker was graduating from Princeton, he wrote a senior thesis on the British Labour Party, in which he came down solidly on the side of the "pragmatic" Ernest Bevin for rejecting the call for a Jewish state in Palestine. "Bevin was as concerned as the next fellow about the sufferings of the Jews," Baker observed, but "supporting two million Zionists would mean incurring the enmity of the sixty million Moslems in the Arab states."

By this standard, no one should have supported the handful of American colonists who demanded independence from the far larger population of England, nor should national leaders ever endorse fundamental change in the world. Just consult the polls, run the numbers, and act accordingly. What a shame that this thin gruel was served up to the peoples of the world at a moment when the United States was in a position to advance our revolutionary definition of proper government throughout the world. And what a blessing that an entire generation of democratic leaders—from Ronald Reagan to Juan Carlos, from Lech Walesa to Nelson Mandela, from José Napoleón Duarte to F. W. De Klerk—knew better, and fought for freedom even when the numbers were against them and the pragmatists wanted to abandon them. □

West Coast Story

JONATHAN FOREMAN

THE term "uprising" in the title of this book refers to the Los Angeles riots. Like so much else in this fascinating book, it is deluded and dishonest. Beating up passing motorists or looting and setting fire to a supermarket when the police have disappeared is hardly Tiananmen Square. (In L.A., people joke that the only "uprising" to take place was that of the police, who rose up and ran away until shamed into doing their jobs.)

And on some level the Black Muslim authors and their subjects—gang members who have "embraced the peace" and are "rebuilding their community"—are aware of this dishonesty. There are no accounts here of mobs pulling people out of their cars, or the burning of South Central's only (black-owned) bookstore, or attacks on Korean grocery stores. That presumably would have spoiled the righteous "we are resisting the white man's attempt to destroy us with drugs and guns" tone of the book. The authors, both Nation of Islam members, prefer to elicit "constructive" answers along Farrakhanite lines when they ask "Big Phil" and others why they joined gangs, what they see as the causes of gang violence (police agents, *provocateurs*, of course), and why they "embraced the peace."

Uprising: Crips and Bloods Tell the Story of America's Youth in the Crossfire, by Yusuf Jah and Sister Shah'-Keyah (Scribner, 352 pp., $23)

The gangbangers' overt bigotry is worth noting: although the overwhelming majority of those killed by Crips and Bloods are black, several members boast of having gone downtown to beat up and rob whites. "Red" describes his apprenticeship in the "Hoovers" in the 1970s: "Our basic thing was going in the white neighborhoods doing things. I had a homeboy, he and I personally went to some white people who were still living in our neighborhood, and we kicked in their door, ran up in there, and took their guns, their money, and everything else, and eventually they moved out." As to the extent of his rehabilitation, "I know times when I hurt people real bad, shot people . . . and felt bad. Especially if it was another brother. It's a bad feeling. Anything I ever did to white people I never felt any remorse for."

One also comes to realize just how strangely cut-off these L.A. black neighborhoods are. Leon, who "played a little college ball," says, "I used to take some of the homiez to the college campus with me because they had never been around a bunch of white people or Oriental people like that before." This isolation is also clear in the way neighborhood residents talk about starting businesses. "Q-bone" says that when he went to Washington, D.C., and Atlanta he was amazed to see black-owned businesses. Now he is working to put hot-dog carts in L.A. "If it's the last thing I do, I'm going to see blacks out here with hot-dog carts." "Leon" has similar ideas but found local youth laughed when he suggested buying an ice-cream van like the ones driven by Mexicans: "It's the same as when they laugh at the Mexicans on the corners out here with these oranges and these little fruit stands. . . . Those are the type hustles that we used to do, that now we think we are too cool for."

Their descriptions of gang life and gang history make interesting reading. Many gangs go back thirty years, and some have their origins in youth or

Mr. Foreman is a New York-based writer who grew up in Los Angeles.

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community groups that were supposed to be an alternative to gang activity. Strangely, no one can really explain why a "truce" took hold after the L.A. riots. It clearly had something to do with gang leaders getting old, with the efforts of activists like the ex–football player Jim Brown, and with competition from Mexican gangs. But several of the gangsters say it was during their jail terms that they realized peace was possible—because prisons tend to divide on racial lines. "All before I got to Folsom I was gang-banging, fighting Crips. Then as soon as I got to the Folsom . . . everybody was saying 'we don't gang bang here. Up here it's all about fighting white boys, and the Mexicans. So we need each other.' "

Perhaps the saddest thing in *Uprising* is the impression one gets of communities crying out for order and discipline. Clearly, part of the appeal of gang membership is its rigid structure of rules. And certainly the jailhouse conversions to Islam undergone by several of the subjects of this book amount to submission to an even tougher regime. It may be that for all the conspiratorial rubbish some of these men talk about "white supremacy" bringing drugs and guns into the ghetto, white society really *is* partly to blame for the chaos and violence—to the extent that the libertinism of the Sixties had a devastating effect on poor black communities. All the older gangsters have vague memories of a time when the center still held. As "T. Rodger" says, "When I came up, the neighbors used to be on us too, like they were our parents. If you were doing something wrong, they would whip you and then tell your people what you were doing, and you'd get another whipping when you got home."

But the biggest surprise in *Uprising* is the extraordinary Introduction by the rapper and actor Ice-T. While recognizing that "there are extremely admirable qualities" to be found in gangs, the maker of the notorious *Cop-Killer* album here fearlessly delivers the kind of bottom-line truth that you might expect to see on the Op-ed page of the *Wall Street Journal*. "The mind-set of black folks has to change. I had to do it. . . . The first thing is that you have to admit that you've been messing up. . . . One of the best comments I've ever heard was 'the best weapon against racism is excellence.' That says it all."

This is the only ray of light in *Uprising*. There's something terribly depressing about the disingenuous message provided by the authors and their carefully selected interviewees. They preach economic self-determination but insist that a fair deal from the system is impossible. "If I was to go out there and get a job . . . they're going to find some reason not to hire me." They talk about responsibility but blame everyone and everything from slavery to the police to their own women for the gang violence that cost their friends' lives. Those who have learned to read, read only pseudo-history and pseudo-science, all of it vicious nonsense. Worst of all, their call to unity is also a snarl of racial hatred interwoven with tough talk about "military action" against the "real enemy." None of it gives one much hope for the communities from which the gangs have emerged. □

Our Country, 'Tis of Thee

JAMES GARDNER

JUST as the staunchest Anglophiles are invariably the English, so no one is quite as fascinated by America as Americans themselves. Our novelists love to send their characters across the great expanse of this continent to find themselves and discover what it means to be American. Their frequent accounts of the Civil War are not mere historical novels, as a comparable novel might be in another culture: these are attempts to define what we are today and how we became that way. Russians like Gogol and Dostoyevsky may medi-

In the Beauty of the Lilies, by John Updike (Knopf, 528 pp., $25.95)

tate on the soul of the Slavic people, but they never make that the overriding point of their fiction. The French, Germans, and British are far more inter-

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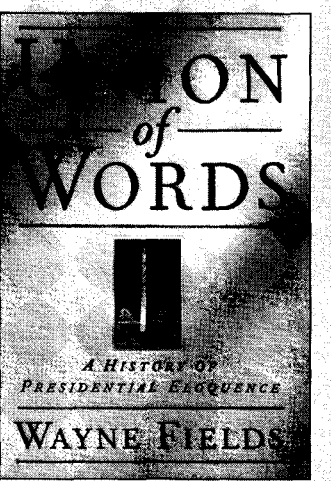

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esting in disparaging one another than in defining themselves. By contrast, we expect our novelists, especially our male novelists, to take on the great theme that is our nation.

John Updike, in his undemonstrative way, is as consumed by this grand ambition as anyone, and never more so than in his latest novel. As his Rabbit novels sought to invoke the recent history of this country through the life of a single man, so *In the Beauty of the Lilies* seeks to refract the American Experience through four generations of a single family. It begins with Clarence Wilmot, a Presbyterian clergyman who loses his faith in the first scene of the book, quits his ministry, and takes to selling encyclopedias in an uphill struggle to feed his good-sized family. Of his two sons, the fast-talking Jared fights in the First World War before becoming a successful businessman, and Teddy, the younger son and focus of the second part of the novel, rises more humbly through the ranks of his local post office. His marriage to Emily brings forth Essie, the subject of the third part, who becomes a movie star in the Fifties and early Sixties. Her only child, Clark, the focus of the fourth and final part of the novel, is a mild-mannered Hollywood child who grows up in the Sixties, does the drug thing in the Seventies, tries screenwriting in the Eighties, and finds religion in the Nineties.

Updike has written a good book, which is to say that it functions as fiction and that it can be read with pleasure. His use of language is always imaginative and not infrequently achieves the effects that he seeks. The characters are always likable and sometimes well-drawn, especially minor ones like Jared, his son Patrick, and Essie's brother Danny. The main problem with the book is its structure. The generational novel, of course, is familiar territory, having been mined by everyone from Dickens and Trollope to Mann and Galsworthy. But unlike these predecessors, Updike opts for the modernistic ploy of four essentially disconnected narratives that read like four novellas. There is no essential theme that runs throughout and links the four parts, so that the overall structure seems arbitrary and unglued.

The other problem with the book is that Updike is playing to his strengths, without confronting his weaknesses. His characters all seem to be essentially the same pale and slightly chinless person in different guises, and that character, we may surmise, is always a variation on Mr. Updike himself. Whereas Updike displays considerable skill in discovering telling and beautiful details, he is often guilty of overkill and indiscriminateness. And the frequent historical details have all the excitement of file footage in a down-market documentary: "It was the year a ship called the *Lusitania* was sunk in big headlines." "In late May, a young Minnesotan named Charles Lindbergh . . ."

What Updike is not generally adept at is the development of plot. He seems to have bought into the modernist post-Jamesian canard that plot is an inconsequential ornament to a novel, whose main business is the development of character, the discussion of a theme or doctrine, or the exploration of forms. His plots tend to fall into one of two categories, either the examination of character, as in the Rabbit novels, or a kind of crazed, excessive, and unbelievable story-line as in *The Coup* or in *Brazil*. In the present work, with its four novellas bound as one, there is very little in the way of compelling narrative. Though the conclusion, which takes place at a David Koresh–style religious compound, is very well done as pure narrative—in fact the best eight pages of the book—one rues the absence of such skills elsewhere.

Finally there is a whiff of bad faith, a tremor of insincerity that is never quite absent from this novel. It is too much what one expects in the quality-lit business. Mr. Updike serves up the expected dollop of tastefully recherché metaphors and modernistic ploys and observations, which are always somehow a little less observant than they sound. In short, Mr. Updike has tried to write a postmodern novel that sounds the way postmodern novels sound when they sound like postmodern novels. *In the Beauty of the Lilies* proves, between the lines, that John Updike has the talent to create a unified novel with a compelling narrative line and characters that really live. Unfortunately that is a talent which, thus far, he seems never fully to have employed. □

Mr. Gardner is the author of Culture or Trash?

FILM

Legal or Lethal?

JOHN SIMON

THE death penalty remains one of the trickier problems we find ourselves grappling with. Is taking a life for a life justice or barbarism? Is the state entitled to turn killer under any circumstances? Is the Old Testament "a tooth for a tooth" just? Or is some modified form of the New Testament's not casting stones more appropriate? And then the economics of it. What costs the taxpayer more: the death penalty with all those appeals and stays of execution, or extensive imprisonment and maintenance of the prisoners? And what about the risk of recidivism—those news stories about parolees promptly raping and murdering again?

I confess I don't know where I stand on all this. Which is partly why I am the proper audience for a movie such as ***Dead Man Walking***, and perhaps why I find it so absorbing. It is based on the homonymous book by Sister Helen Prejean, a nun whose ministry to the men on Death Row has turned her into a leading advocate for the abolition of capital punishment. Her book is based principally, I gather, on two of the killers she dealt with: one repentant and anxious, the other sullen and unfeeling. Tim Robbins, the actor who adapted the book and directed the film, fused the two men into one, Matthew Poncelet, creating a more interestingly complex character. It was certainly a clever move to have the guiltier of the two accomplices—the one who remains unseen—get off with a lighter sentence, whereas Poncelet, who merely came along for the ride and was sucked into

Mr. Simon is NR*'s film critic.*

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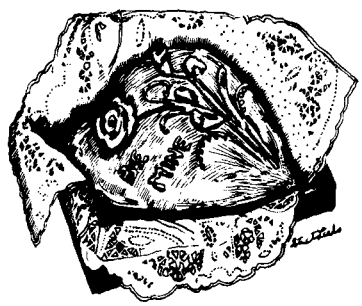
the rape of a young woman and the murder of her and her fiancé, is condemned to death.

The movie's chief virtue is its genuine striving to be fair to all concerned. This is particularly apparent in the treatment of the crime. Verbal and pictorial references to it weave their way in increasing detail throughout the film. The rape has erotic aspects, but is not wallowed in; its viciousness, and that of the killings, is strongly but unexploitatively conveyed. The final punishment is crosscut with the crime, so that sympathy for the by now greatly humanized Poncelet is not allowed to outweigh our horror at what he did. The film is like one of those Platonic dialogues ending in the well-known Socratic aporia: nothing is spelled out; the viewer's mind must clear its own way through ironies and ambiguities.

Since Susan Sarandon, who plays Sister Helen, and Tim Robbins are life partners jointly active in liberal causes, we can extrapolate their stand against capital punishment. And careful scrutiny of the film suggests this position, albeit without short-changing the contrary arguments. This balance is achieved largely through the attention paid to the parents of the victims (though the murderer's dysfunctional family is likewise cogently examined), and also through showing the contradictory goings-on both inside and outside Louisiana's Angola prison, and various other actual locations where much of the film was shot.



Helen Prejean also prayed and shared grief with the victims' families, even though it was hard to overcome their resistance to one whom they viewed as an ally of the guilty. The three parents in question neatly—but not too neatly—represent three points of view: realization that an execution might not be the best solution, insistence on a life for a life, and a transitional attitude in between. The three roles are superbly filled by Raymond J. Barry, Celia Weston, and R. Lee Ermey. None of these actors is overfamiliar to moviegoers, which greatly heightens the quasi-documentary atmosphere. But even the stars in the two leads manage admirably to make you forget who they are.

Miss Sarandon has evolved over the years from sexy starlet, through seductive leading lady, to mature and magnificent actress for all occasions, emphasis having shifted from her commanding bosom to her enormous, eloquent eyes—two globes containing continents of compassion. She has that priceless reverse-baked-Alaska ability of being cool of face and voice while conveying fervor within, yet staying scrupulously within the bounds of histrionic seemliness. There are things about nuns I have hitherto never fully understood; this actress, given this script, makes them lucently clear.

As Poncelet, Sean Penn is a revelation. Latterly a highly questionable writer-director, Penn has all along been a compelling actor. Here he is nothing short of stunning. Every physical detail of his characterization—looks, expressions, bearing, gestures, intonation, silences—is better than just correct: correct *and* unpredictable. There is also a nascent spiritual quality, growth of the soul, that the performance makes manifest. And there is no cheap plea for sympathy, only a certain flamboyance of the apposite kind: part Byronic, part defiantly aggressive, part pitiful. In short, a histrionic landmark.

Fascinating, too, are the performances by Roberta Maxwell as Poncelet's weirdly erratic yet not inhuman mother, and Lois Smith as an unidealized, idiomatic mother to Sister Helen—herself, needless to say, no unerring plaster saint. Even the smallest parts are accorded a flavorous authenticity, and Roger Deakins's camera is enlightenedly ironic as it traces inextricable moral entanglements with a worldly-wise, pictorially sensitive gaze. I am told on good authority that the film's initial three-hour version was by far the best; the reduction by half an hour, second-best; and the final cut demanded by the producers, two hours plus, only third-best. A sad comment on our times, when trash like *Heat* can go on for three hours, but *Dead Man Walking* must be severely curtailed.

Even so, plenty is left to be thankful for. Especially the realization fostered here that questions exist to which there are no cut-and-dried answers, questions that must always be addressed afresh, and wrestled with for solutions that are, at best, provisional. □

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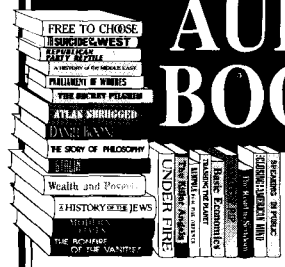

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ART

Vermeer and Woman's Work

DAVID GELERNTER

THERE are two revelations you take away from the Vermeer exhibition at the National Gallery. First, his crocus-blossom colors: his brilliance as a colorist finally becomes clear. Second, that Vermeer is a religious painter.

His religion is femininity—not a rare thing in a great artist; what *is* unusual is Vermeer's insistence on showing women in a distinctively female world. His women do stereotypical "woman's work": the milkmaid and the girl with a water pitcher at their domestic chores, the *Lace Maker* and the lady of *The Little Street* at their needlework, the *Lady with a Pearl Necklace* and the *Woman with a Balance* fiddling with jewelry as they dream. Many Dutch genre painters show women at their chores, but only Vermeer paints the spiritual substance of this world.

He is certain that women and men live in different universes; the renowned *Girl with a Pearl Earring* turns only her head when the painter summons her attention, and won't even turn it far enough to look at him directly. Her eyes swivel hard left; she begrudges every degree of movement away from her own world and toward his. Yes, her face is lovely and (as everyone says) inscrutable, but it is exasperated too. The abstracted gaze of the typical Vermeer woman tells us more clearly than any other gesture by any other painter that "there is something here I can't show you," an inner life of surpassing richness we can only guess at; those gazes mark the spot (like Ophelia's floating garland) where knowledge ends.

When men waltz into the picture they destroy its calm. The *Girl with the Wineglass* has a sappy, silly smile as her suitor leers; in the Frick Museum's *Officer and Laughing Girl* (which isn't in the show), the heroine smiles pleasantly, but there is tense edginess in her elbows-on-the-table uprightness. When women get together, on the other hand, the calm only deepens. Vermeer admires his models' beauty and likes to play with sexual insinuation. Yet his erotic interest in these women is overwhelmed repeatedly by his awe at their spiritual depth. There is nothing more beautiful in his art than the *Woman with a Balance*. He paints her hands and exposed forearms with acute sexual interest; a short-skirtless society knows a lot more about the potential beauties of a lady's forearm than we. But when he reaches her lovely face the sacred overwhelms the profane, and he loses himself in the sheer profundity of her expression.

Investigating the relationship between classical masterworks and today's world is part of an art critic's job. So you'd think our critics would be falling all over one another in their zeal to investigate the painful contrast between Vermeer's paintings and the contemporary art world's contemptuous, bitterly ironic view of "woman's work" as a male-built prison. But somehow this story has eluded them. Thus there is Janine Antoni, for example: she is an artist whose work at the moment, according to the *New York Times*, consists of drenching her hair in dye, getting down on the floor, and mopping it around. "Women's Work (or Is It Art?) Is Never Done," reads the headline.

Two other unfashionable conclusions are unavoidable when you visit the Vermeers. There is an unchanging psychological reality beneath the *Sturm und Drang* of evolving sex roles; women were the lacemakers in the seventeenth century, still are (to the extent that people still make lace), and will be in 2300 too. And, although there can be no doubt of the distinctness of the male versus female spiritual universes, there can be no doubt either when you look at these paintings that a man can enter sympathetically into the female world and transcribe it with respect and vivid beauty and faithful love. □

Mr. Gelernter teaches computer science at Yale and is the author of 1939: The Lost World of the Fair.

BOOKS IN BRIEF

The Thirty Years' Wars: Dispatches and Diversions of a Radical Journalist, 1965–1994, by Andrew Kopkind (Verso, 531 pp., $29.95)

THE late Andrew Kopkind was perhaps the premier radical journalist of his time. After quitting *Time* in disgust, he became an early promoter of the Student Non-Violent Coordinating Committee and Students for a Democratic Society. In the Sixties his essays appeared in *Ramparts*, *Mayday*, and *The New York Review of Books* (in its early, radical phase); he ended his career at *The Nation*. This collection chronicles his political and personal odysseys over thirty years. The two were never separable for him: he once wrote that his political work had "obliterated the emptiness of the life [he] had grown up with in the Fifties." His emergence from the closet in the Seventies, like the Vietcong's resistance to "imperialism," was part of the struggle against oppression and for authenticity. In that struggle liberalism, permeated by bad faith and corrupted by the Cold War, was not a reliable ally. Kopkind hauls out liberal icons one by one—King, RFK, McCarthy, Mondale—and finds them wanting, incapable of remaking society. He pinned his hopes on Jesse Jackson for a time, but by 1992 had grown weary of "the Reverend's willingness to swallow any offal so long as he can attend the banquet." His cultural and political analysis could be very sharp, whether he was discussing the rise and fall of the New Left or the "dialectic of disco." He had blind spots: the idealism that informed his analysis was unsentimental to the point of moral obtuseness, a vice most evident in his treatment of the murder of Israeli athletes in Munich. But reading Kopkind is a pleasure: his prose style was clear, ideologically inflected, and bracing—in a way that more responsible commentary perhaps can't be. —RAMESH PONNURU

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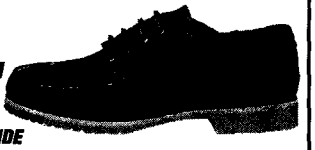

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(Continued from page 55)

pass. Republicans committed to the idea should therefore content themselves with establishing the legality of those limits already put in place by the voters of various states. Even Republicans with reservations about the wisdom of term limits might come on board, in deference to the popular will. And while any defense of term limits will be a tough sell to some Republican incumbents, all Republicans should realize that the movement for term limitation is large, it is energetic, and it is not going to fade away. Because of the Supreme Court's decision, the cause of term limits is in a worse position now than it was before the Republican Congress convened. And that Congress has already defeated a term-limits measure. True, 85 per cent of Republicans supported that bill. But the GOP Congress will bear the brunt of many voters' wrath anyway—unless it takes action now.

Any attempt to resurrect Article III, Section 2 will provoke liberals' opposition. They will call it an assault on the Constitution and the rights it protects. A common misunderstanding of the distribution of constitutional duties will reinforce their view: decades of judicial imperialism without effective legislative response have obscured the truth that the Constitution was never meant to be enforced primarily by the judiciary. In particular, liberal piety toward the Supreme Court lasting more than a generation has given the public an inflated view of its sacrality. Republicans will have to meet this criticism head-on. They should remind the public that congressmen take an oath to uphold the Constitution no less faithfully than judges, and have as great a responsibility to prevent violations. Clarifying this point would in itself be no small service to the cause of constitutionalism.

The course outlined here is not for the faint of heart. But Republicans need not be timorous. Even if Congress ultimately refrains from action in these areas, the mere prospect may inhibit the courts from defying Congress in other areas, like welfare reform. Moreover, proposals for term limits, voluntary school prayer, and prison reform enjoy broad public support. If these ideas were not so popular, after all, liberals would *not be forced to run to the courts to prevent the American people from adopting them.* □

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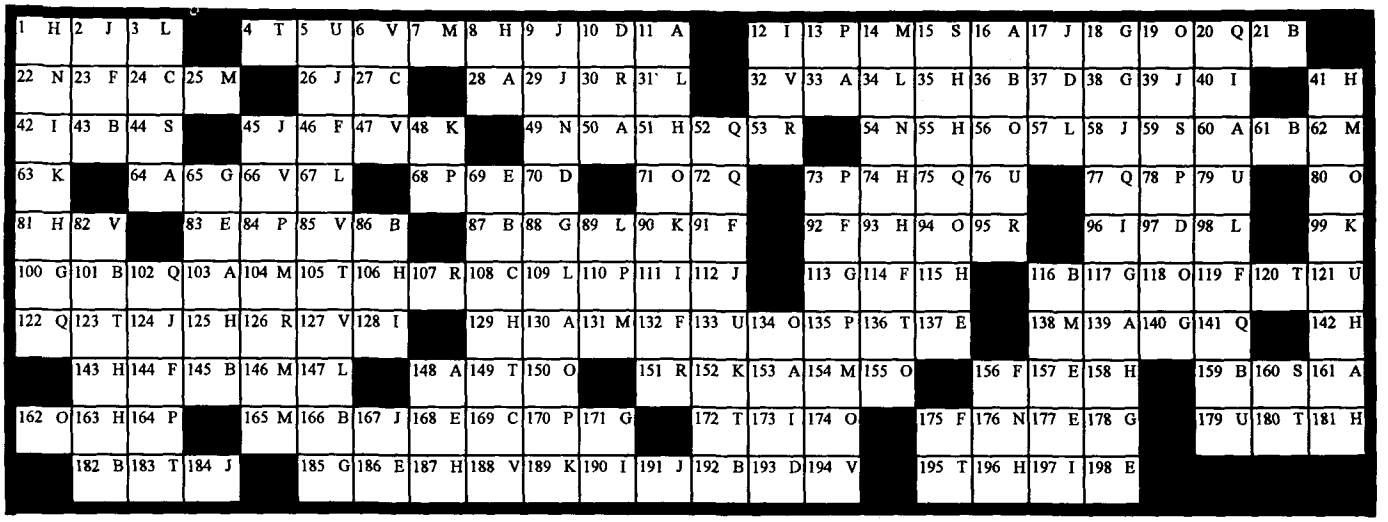
TRANS-O-GRAM / Siegfried R. Reiner



DEFINITIONS:

A. Rate concession to frequent users of bridges and tunnels (2 words)
161 153 11 148 60 50 139 28 130 33 16
103 64

B. Capable of everything
145 159 43 36 116 86 101 87 21 61 166
192 182

C. JFK's one astronomical success
24 169 27 108

D. WFB is happiest aboard one
70 10 37 97 193

E. One of three fire-tested faithfuls (*Daniel* 3)
137 168 83 198 186 69 177 157

F. Robin Hood's shire
91 132 92 156 23 114 119 144 46 175

G. Denizens of Valley of the Kings (2 words)
117 88 100 185 65 38 140 113 18 178 171

H. Just the thing, medically speaking (4 words)
143 55 142 1 106 93 187 41 196 8 81
125 35 51 181 115 158 74 163 129

I. Cabinetmaker's implements (2 words)
12 173 197 190 96 42 111 128 40

J. German romantic poet (2 words)
29 58 26 39 167 124 45 17 2 191 9
112 184

K. Home to Spaniards and Portuguese
90 152 48 63 189 99

L. Meeting of the minds, *à la française* (3 words)
31 147 57 3 89 109 34 67 98

M. Heroic setting (2 words)
62 165 7 138 131 14 146 104 25 154

N. Primal scream, to a Scot
54 49 176 22

O. Better not use Florence King's lines without this
94 155 150 134 56 71 19 162 80 174 118

P. Victorious
73 164 110 78 68 170 13 135 84

Q. Church historian
72 52 122 141 77 102 75 20

R. Reed often woven into furniture
107 151 95 53 30 126

S. Unit of electricity
59 160 44 15

T. Theodoric's conquerors
149 123 136 120 180 195 4 172 183 105

U. Result
76 179 5 121 133 79

V. Impudent-sounding stimulant
188 32 82 194 66 6 47 127 85

DIRECTIONS

The object of TRANS-O-GRAM is to fill in the puzzle diagram by guessing the words from their definitions, and transferring each letter of the guessed word to the correspondingly numbered square in the diagram. When the diagram is filled in it will spell out a quotation from some published work (reading normally from left to right, black boxes indicating the ends of words); also, when the words have all been filled in above, their initial letters will spell out the author and title of the quoted work. The acrostic feature, and the relative word-lengths in the diagram, will assist in the solution. Spelling and definition on the authority of *Webster's Deluxe Unabridged Dictionary*, Second Edition.

Solution to last issue's Trans-O-Gram. ARLEIGH BURKE: *Power and Peace*: "A strong nation can exercise influence simply by existing. It stimulates imitation; it sets the fashions in thought and behavior; it becomes the teacher of peoples. But when weakness appears, the respect it previously enjoyed is replaced by envy and scorn."

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ON THE RIGHT / Wm. F. Buckley Jr.

Misfire On Drug Policy

NEW YORK, JANUARY 30

The bipartisan Council on Crime in America, whose most conspicuous spokesman is William Bennett, does fine work, but when it touches on the matter of drugs its analytical powers simply decompose, as though the writer were high on crack cocaine or the legal stuff.

Last week the Council exploded in opposition to the call for an approach to the legalization of drugs made by seven writers (myself included) in this journal. To the title of the symposium—"The War on Drugs Is Lost"—the Council replies that that is most certainly not so. To the end of proving this, it cites the reduction of drug use by non-addicts. It declined by 50 per cent between 1979 and 1992. The planted axiom of course is that that decline is owing to the war on drugs. But what is it that accounts for the decline in the number of users of tobacco during the same period, from 33.5 million to 26.5 million? The use of tobacco is not illegal. But since 1979, and beginning even before that, the deleterious effect of cigarettes was so persuasively argued that even William Bennett gave up smoking.

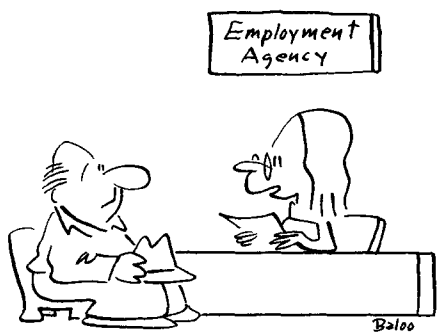
A look at the formal side of the war on drugs is required. If something is illegal, then the law that makes it so is effective to the extent that it imprisons those who violate it, thereby hypothetically reducing the number of lawbreakers.

That would seem obvious, but isn't to the distinguished members of the Council on Crime in America. In 1985, 811,000 arrests were made for drug offenses. In 1994, 1.35 million arrests were made for drug offenses. Does that mean that the war on drugs is effective? Well, no. An effective law diminishes, rather than increases, the number of violators who have to be arrested.

And then of course one asks, If 1.35 million drug users were arrested in 1994, how many drug users were *not* arrested? The Council informs us that there are more than 4 million casual users of cocaine (defined as people who use it less than once a week). How so? Why haven't they been arrested? And goes on to say that there are over 2.2 million heavy (at least weekly) users. That makes a total of 6.2 million who violate the law from once a week, to every two weeks or so. How effective is the war when such figures can be cited? Now take the big one. There are over 70 million Americans who have smoked marijuana, and about 10 million who continue to do so. Why aren't they in jail? Does the Council on Crime in America really wish that they were in jail?

It must have embarrassed the Council that the same week it sputtered forth on the great success of the war on drugs, *The Economist* cited another Council report on crime in America which gainsays its entire position on the drug war. We learn that only one criminal is jailed for every hundred violent crimes committed; that over one-half of America's convicted felons are not sentenced to prison (because, in part, the prisons are full); that the most violent criminals serve less than one-half their sentences, and the average murderer released in 1992 from a state prison had served only 5.9 years.

The Economist cites the experience of a patrolman in Haughville, a scruffy area of Indianapolis. "He drives up and down in the evenings, past anoraked figures who stand outside liquor stores and turn their faces from him. He can guess what they are; few people apart from drug dealers stand around on nights like this, when the puddles in the potholes freeze hard. Besides, Patrolman Reichle knows most of them: he reckons he has arrested one in five of these young men." City prosecutors "do not even bring charges against drug dealers until they have been arrested several times. Those who do get charged and found guilty will not go to prison, unless they have other convictions. President Bill Clinton's call for a crackdown on drug dealers sounds pretty hollow in Haughville."



"The computer thinks you should move to Sweden and go on public assistance."

Such is overcrowding in state prisons in Indiana—notwithstanding that the national increase in prison space is threefold since we decided to wage hard war on drugs—that even a relatively new American prison might have merited describing by Charles Dickens. "Prisoners pass their days in narrow, ill-lit cages; there are no chairs or tables, so the men pace up and down like zoo animals or slouch upon the floor."

So what has the war done? It has made a mockery of an anti-drug law that is simply ignored by millions; it has induced violent felonies in pursuit of drug profits; and it is self-evidently powerless to do anything about the recent increase in marijuana use by reckless adolescents. It is a pity that men and women of the moral and intellectual character of William Bennett treat drug legalization as the equivalent of moral acquiescence in drug abuse, when other reasons for repealing our stupid laws are so clearly articulated, primary among them to relieve *non*-drug users from the heavy load they bear in the phony and ineffective war. One forgets—who won the Hundred Years War back then? Was it really necessary to take it on for one hundred years? □

Has the WTO Threatened Us?

NEW YORK, JANUARY 23

Well, it happened: the World Trade Organization ruled against an existing law, and people are up in arms. Candidates Dole and Buchanan have suggested that this is on the order of the British navy moving in to restore the crown as sovereign in U.S. affairs.

Here is the quarrel. Brazil and Venezuela, in recent months, attempted to bring into the United States what we might as well call "dirty oil," meaning that it is oil that contains a higher density of pollutants than is permitted by the Clean Air Act. So, we denied that oil access to the American market.

A suit was filed with the WTO by Brazil and Venezuela, which asserted, correctly, that the same quality of oil turned down at our frontier was in fact being pumped, sold, and burned within the United States. This is, plain and simple, discriminatory, and of course the General Agreement on Tariffs and Trade exists in order to protest discriminatory practices.

Now the United States has several defenses, none of them conclusive—they are an attenuation of the violation rather than an excuse for it. It happens that the load of oil being permitted to market notwithstanding its high pollution content

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was something on the order of an exception. The franchise was given with a view to saving a considerable deposit of oil, on the understanding that the international standard would be invoked beginning in 1998.

Now if one engages in a treaty of this kind there has to be an arbiter somewhere. The disarmament treaties of the Twenties and Thirties failed for many reasons, but one of them was that there was no effective tribunal to call attention to the violations of Germany, Italy, and Japan. For that reason, a court was set up, armed with the power to make a finding (subject to appeal) and to levy either a fine, if the situation was not rectifiable, or else compensation (to the wounded nation or industry). The court, having ruled against the United States, has not come through with a specified penalty, and in any event, this being the very first ruling the WTO has come through with, there is abounding procedural confusion.

One source of the confusion is the motives and political interests of the people involved, directly and indirectly. Mickey Kantor is of course our trade representative. He is having a hell of a time. On the one hand, he very much wants to defend the environmental code approved by President Clinton, which means, No dirty oil. On the other hand, he desperately wishes to be outside the line of fire directed against those who tolerate an extra-national body telling the United States what to do. To date, Mr. Kantor has said that in fact the court is factually correct; that the court has no right, really, to rule on U.S. environmental laws; and that the United States will appeal—probably.

Now the long perspective on the question is that the GATT treaty was a dozen years in formation, under the Reagan, Bush, and Clinton Administrations, with the Congress as a prime mover. Our motives were simple: most trade discrimination in the world is against U.S. producers. We have, we thought, and thought correctly, more to gain than to lose by endorsing a court that could actually hand down rulings of the kind that free up trade.

Bob Dole and Pat Buchanan are talking about the hideous nature of an extra-national authority, and Mr. Buchanan even said that when he became President, the first thing he would do is repeal the GATT treaty. But the U.S. position is made difficult by the simple fact that a) we promoted and passed the GATT agreement (while avoiding the treaty requirement to come in with two-thirds of the Senate vote), endorsing b) a fact-finding body (the court) that would look into complaints and c) dispose of sanctions in the event a signatory was found guilty of discriminatory practices.

We now have several alternatives. We can resign from GATT, which would be a long-term invitation to restricted trading; or we can pay the fine or compensation on the Brazilian and Venezuelan oil; or we can modify the Clean Air Act to exempt the privileged producer of the dirty oil.

What we can't do is argue that somebody took away our lollipop. We are a grown-up nation, and if we pulled a fast one at the expense of a law we ourselves promoted and ratified, then we should take the punishment. If ever the WTO engages in systematic anti-U.S. rulings, why it becomes simple. We pull out. But not before that happens. □

School Uniforms?!

NEW YORK, JANUARY 26

One commentator dealt bravely with the seven general categories of national problems addressed by President Clinton and finished his appraisal with the sentence, "Why on earth does the leader of the free world have to concern himself with school uniforms?"

Well now, there are those who found that the most novel and potentially the most resonant sentence in the President's address. Flash ahead ten years, close your eyes, answer the question: "What was the highlight of President Clinton's State of the Union speech in 1996?" Right, the answer will be: Oh, that's the speech in which he came out for school uniforms. . . . To say that was the "highlight" of the speech is of course to take liberties, consigning all else he said to generic political thought. The President declared in favor of health care, law and order, unity, growth, and husbandry. So does every candidate running for President. It was the school-uniform bit that caught the attention of the unwary, who asked first, What does Mr. Clinton know about school uniforms? and asked second, How is it that he intuits their importance?

Not long ago a public-school teacher in New York City wrote to the *Wall Street Journal* a letter bristling with authenticity, relating that the foremost problem in the city's schools was: discipline. In the absence of it, she complained, practically nothing else is possible. What has been called the "hijacker's leverage" is operative here. Just as one terrorist can dictate the movements of a super-jet carrying five hundred passengers, so one unruly student can, for as long as he is able to keep it up, affect the climate of a schoolroom. In the late Sixties, one senior at Harvard appeared at the office of the president hours before the Commencement ceremony demanding that he be scheduled as a speaker during the ceremony. If not, he informed the stunned president, the ceremony would not proceed. A half-dozen noisy protestors, even in an assembly of two thousand, can make solemn processions impossible; as also, studious classrooms.

The head of Cardinal Hayes High School in New York made a point of it some years ago. That school—formally a diocesan school although many of its students are of other faiths, 85 per cent of them minorities—has arresting academic attainments; 85 per cent of its graduates go on to college, compared with less than 15 per cent in comparable public schools made up of identically endowed students. It is very important, the principal told his visitor, to insist on a school uniform.

Why? one naturally wondered. Because, he said, the symbol irradiates several things. The first is that the student is a member of a regulated community. When you are in uniform, your dress bespeaks hierarchy. The symbol is very important. At Cardinal Hayes the students are simply not expected to be late in arriving at school, and punctuality is accepted as a part of the system: related, in a way, to the requirement that the students wear their simple grey jackets and pants, a shirt and a tie. On the question of disorder in the classrooms it is as simple as that there is no disorder in the classrooms. Defenders of the antinomian behavior of so many public-school students confide to you that the reason for the success of the private schools is that they simply expel anyone who is in any way nonconformist. But such chaos-defenders run into statistics: 2 per cent of the students at Cardinal Hayes are expelled.

The maintenance of order, the minor conformity that issues from the wearing of identical uniforms, is always a latent problem because the schools deal with boys and girls who are going through their unruly period in life. The sociologist who some time ago remarked that a single broken and unrepaired window is an invitation to corollary shambles gave us all an epiphany. Of course it is true! we realize. Student unruliness is met in different seasons in different ways. At Eton in the 1830s the students outnumbered faculty by about 100 to 1, and the notorious Doctor Keate attempted to solve his problem by flogging a dozen students every day. We shrink from such measures, but ought to welcome civilized substitutes, and the school uniform is the beginning of wisdom in this field, and we say hurrah to the President for coming upon that insight. □

(Universal Press Syndicate)

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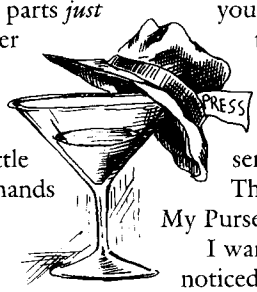
THE GIMLET EYE

JOE BOB BRIGGS

OKAY, I'm gonna describe this woman. She's got fluffy blond hair, teased, permed, and coiffed about $300 worth. She's got a straight nose, thin lips, and large bedroomy eyes. She wears tiny pearl earrings and a simple pearl necklace that hangs down onto a tanned neck and chest. Her dress is classic—either Ralph Lauren or Calvin or maybe Donna Karan—and it has a jacket that parts *just the right distance* from her breasts. She always wears black pumps. But if you notice anything, you'll notice her fingernails. They're a little too long for her age. Her hands give her away. She's forty.



Okay. I've seen this woman *over* and *over* and *over* again. Every time there's a picture of some savings-and-loan executive entering a courtroom, or some defrocked minister entering a courtroom, or some bond trader entering a courtroom, or some congressman entering a courtroom—any time some powerful guy is going in to argue why he shouldn't be going to jail, *this woman* is with him. It's the same woman. Always the same woman.

Do they rent her out?

Do they trade her back and forth?

Who is she?

She doesn't say anything, but when her eyes flash you can see that she says a *lot* in private. She has an iron grip on her man's hand at all times. She looks *powerful*—much more powerful than the guy we *think* is powerful.

Is she a wife? She doesn't really look like a wife. But she doesn't look exactly like a mistress either. A mistress would be more affectionate and playful. This woman looks like she's ready to lead the French Foreign Legion into the Sahara.

What is she doing, and why do these men need her?

I used to think, "Am I missing out on something? Do I need to get me one of these women?"

Where do you find her? She doesn't look too country-clubby, although she spends a lot of money on her clothing. She doesn't look too country-western clubby either, although she has the big hair required for admission. She's not a singles-bar Lipstick Lizard, although she *does* enjoy caking on that hypo-allergenic makeup.

In fact, if you look closely at her, and you imagine her being, say, twenty years older, you might think she was the guy's *mother* instead of his wife. She has that no-nonsense Mother Thing going. That Iron Maiden "Bring Me My Purse" Thing.

I wanna know if anybody else has noticed this.

It's spooky.

Where does she come from? Where is she going? Who is she?

And, judging by the look on her face, does she have a weapon?

The only thing I can come up with is that this is what happens to the Party Girl when she grows up.

The only essential difference between the Iron Maiden and the Party Girl is that the Party Girl is twenty years younger. The Party Girl is 22 years old, lives downtown in a groovy art-deco apartment, and calls her mother back in Kansas every Sunday afternoon. She has a roommate named Kimberly. They're the same dress size, so they share everything.

The Party Girl doesn't have a job exactly. She has "investments," or "my own business," or "a trust fund." But she's planning to get a job soon. Someday. When she's older.

When you talk about daylight hours to the Party Girl, she's always a little vague on the subject.

Meanwhile, she's decided to travel. She goes to Key West for the weekend. She vacations in St. Thomas. She flies off to Aspen on a whim. And when you ask her why she decided to go to Colorado so suddenly, she always says, "Well, I met this guy. . ."

And it's always a different guy.

And there's always shopping involved.

And when you see her with a guy more than once, it's usually in a four-star restaurant where supermodels hang out.

After a while, someone will ask the Party Girl, "Uh, just wondering, but, uh, do you have a boyfriend?"

And the Party Girl giggles. A playful, mysterious giggle. And then she orders another strawberry daiquiri and changes the subject, and tells you the wonderful weekend she has planned in Bermuda, with Kevin.

In fact, every time I read one of these articles that say "Men are disgusting—all they care about is sex," or "Men are more naturally promiscuous than women," or "Men are capable of having sex without emotional attachments, unlike women," or "Men are always deceitful liars when it comes to their relationships"—whenever I hear any of these modern raps on how shallow and immature young men are . . .

I think of the Party Girl.

Bless her little heart.

NOW. The only reason I bring this up is that we've all met the Party Girl, right? The Party Girl is a universal. She exists in all ages, in all cities.

But as soon as she has that 30th birthday party, she disappears.

"Have you seen the Party Girl lately?" someone will ask.

But no one *has* seen her.

There are rumors. She married a Japanese businessman. She went on safari and never returned from the bush. She's in California, doing "something in casting." She "gained weight." She's living on Khashoggi's yacht. She's in rehab. She has a swimsuit boutique in South Beach.

But you don't think that much about the Party Girl, because you were never that close to her. She never really opened her heart to you. You just notice, after a time, that her stool at the bar is empty. Her Veuve Clicquot remains in the bottle.

What I now realize is that she's merely gone into training. She's gone into the mountains, like Rocky, to prepare for the big one. And when she comes down, ten years later, she emerges as . . . the Iron Maiden. Look closely at that woman on the arm of the dispossessed banker. She's back. She, too, understands Chapter 11. □

Mr. Briggs is a syndicated columnist from Grapevine, Texas.

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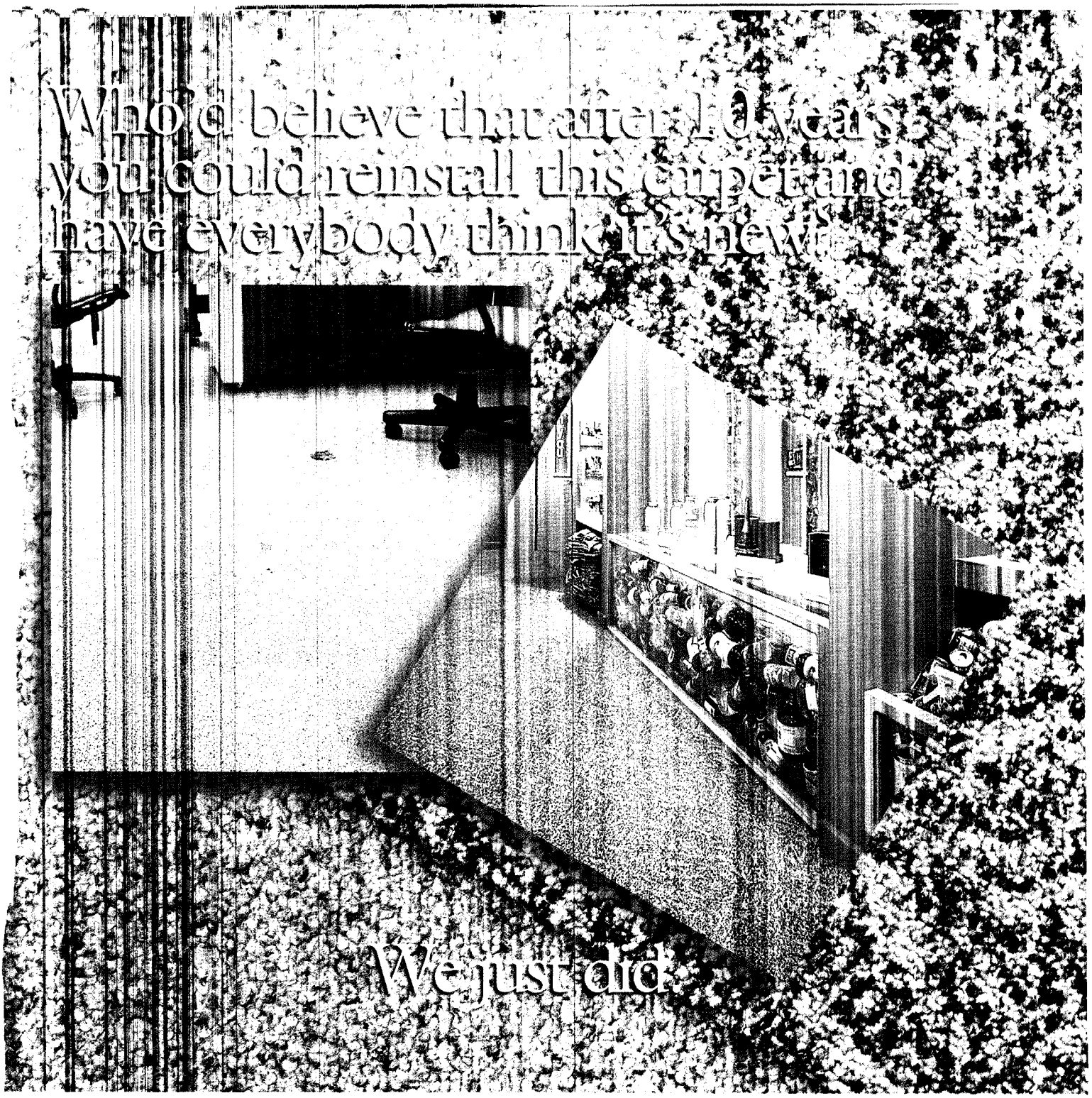

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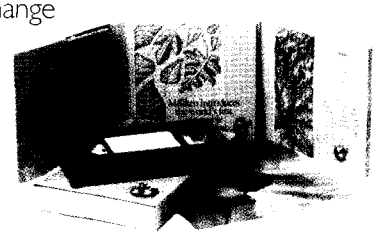

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